

THE DEPARTMENT OF STATE BULLETIN

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U. S. Responsibilities in the European Food Crisis

Article by JAMES A. STILLWELL

MORE THAN 100,000,000 people in Europe, and at least as many in Asia, are now on the verge of starvation. Unfortunately the horrors of war do not end with the shooting, and there can be no real peace in the world before we mobilize to defeat famine as we mobilized to defeat tyranny. The people of Europe flooded their fields and destroyed their bridges in order to help us defeat the common enemy. Allied air forces concentrated many bombs on continental railways and highways, marshaling yards and locomotive factories, so that opposition could be smashed and our troops could move forward. The problem of helping our Allies reconstruct their devastated lands and develop an atmosphere in which the democratic spirit may flourish is clearly one of joint responsibility.

The world's food shortages are now so serious that every country must survey its own needs in relation to those of less fortunate countries. The world food shortage is now so *alarming* that all nations must scale down the consumption and *share the deficit* if mass starvation is to be averted.

Hungry people are not reasonable people. Their thoughts are concerned with their own misery and particularly with the tortured cries of their hungry children. They are easy victims of mass hysteria. When people become frightened elements of a mob, democratic precepts mean nothing.

Only a few short months ago the stated import requirements of wheat for the deficit areas of the world were 17,000,000 tons for the first six months of 1946, but the severity of the drought in southeastern Europe and Mediterranean countries turned out to be much greater than was realized. Even greater has been the disappointment in the collections from farmers and the commercialization of crops. Only a fraction of the amount that should have been collected from farmers in order to feed urban cities came under government control. Black markets, hoarding, feeding to livestock at a time when maximum efforts should have

been made to mobilize supplies for feeding human beings, lack of interior transportation facilities—all these were responsible for the crisis that developed at the end of last year and that threatens to assume catastrophic dimensions this year.

Never during the past 40 or 50 years have so many areas been hit simultaneously by severe drought. During the months of November, December, January, and February the crop news from India, South Africa, and various areas in southeast Asia became progressively worse. Failure of the monsoon in India was accompanied by a number of other extraordinarily unfavorable developments which greatly reduced the prospects of a favorable crop.

On the other hand, exportable supplies from many countries failed to materialize in anticipated quantities. As a result the world import requirements are now over 20,000,000 tons of grain. The surplus-producing areas will have to exert extraordinary efforts to provide even 11,000,000 tons before the next harvest. This amount leaves a total deficit of about 9,000,000 tons. The problem created by this deficit is the responsibility of the whole world. It is obvious that the supplying nations cannot do the job alone. Distribution must be improved in every country and the fullest use must be made of indigenous stocks and production.

The United States, however, is the largest wheat-surplus area. We are also fortunate to have here a variety of other foods available for our own consumption. As always, the greatest responsibility falls to those who have the greatest resources. People in the war-torn areas who have watched the United States mobilize and send across the ocean the greatest armada of tanks and planes and ships that the world has ever seen can-

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not understand why it is not possible for us to ship them any quantity of food that may be needed. They reason that since we so successfully supplied the world's largest expeditionary forces and at the same time furnished tremendous quantities of both military and civilian supplies to our Allies, surely we can meet the present civilian demands for food.

Up to now we have done a very creditable job. Since D-Day our total exports of food and coal alone have amounted to more than 28,000,000 tons. Coal is as essential to economic existence in Europe as wheat. In pre-war times the United States shipped less than 50,000 tons of coal a year to Europe; in the month of March we shipped 2,040,000 tons to the same area. In the first three months of 1946 we have shipped over 5,500,000 tons of coal to the war-torn areas. To ship that amount we have had to utilize port facilities that were not designed for loading coal ships. We are even shipping coal from Utah via Long Beach, California, to Europe. Unfortunately, our shipments of coal for April dropped to less than 800,000 tons.

Even though we are exporting more wheat a month now than we exported a year before the war it is not enough. Last December we announced our intentions to provide 6,000,000 tons of wheat to the deficit areas in the first six months of 1946. That is 1,000,000 tons a month, but in the first three months our shipments totaled only 2,630,000 tons and our shipments in April were only 582,000 tons. In ordinary times a shortage of 650,000 tons in the shipment of wheat—spread over a four-month period—would not be so bad, but today it is tragic. In January it was anticipated that the other major supplying countries would ship at least 5,000,000 tons of wheat in the first half of this year. It appears now that both Canada and Australia will achieve their quotas but Argentina has not exported the amount anticipated. Even if all the supplying countries succeed in shipping the total of the original quotas, the world import deficit would still be about 9,000,000 tons. Unless this deficit can be greatly decreased mass starvation will most certainly develop in some areas.

None of us would be willing to accept the task of deciding who shall starve. It has always been the policy of this Government to feed our Allies first—but we cannot sentence our enemies to starvation.

The food crisis threatens to undermine the very foundation of order upon which we hoped to build world-wide peace. There is only one prevention for this threatening catastrophe—the shipment of every possible ton of food to the areas of most urgent need during the next few months. All supplying countries, then, must greatly increase the present rate of shipments. Certainly the United States must not fail to meet its moral obligations. The American people have shown an overwhelming willingness to do the job. Every public-opinion poll has clearly indicated that willingness. Moreover, most of the citizens realize that the meat consumption in this country has increased about 33½ percent and that bread consumption has increased by about 15 percent over the pre-war level. They are willing to reduce consumption to pre-war levels, but they need the Government's help. This help is already being given in the case of fats and oils and meats where the Government sets aside a certain proportion of production for foreign export.

For the purpose of establishing an emergency conservation program in this country, President Truman requested several outstanding citizens including former President Hoover and the former War Food Administrator, Chester Davis, to establish a Famine Emergency Committee. The statement of world import requirements has grown by leaps and bounds because of continued droughts in the various crop-growing areas of the world until it now appears that over 21,000,000 tons of grain will have to be shipped into the deficit areas in order to maintain a very minimum diet until the next crops are harvested. Under present conditions it is apparent that the major supplying countries will be able to procure and ship no more than 11,000,000 tons. Under present circumstances this deficit amounts to 10,000,000 tons even in the event that some of the importing countries might possibly reduce their rations still further and thereby cut down their requirements for imported grain. It is not conceivable that the total requirements could be reduced by more than 1,000,000 or 2,000,000 tons.

The fact that it now appears that we will export less than 5,000,000 tons of grain from the United States during the first half of 1946 is proof enough that real action is necessary not only on the part of the Government but also on the part of every citizen of this country. The Famine Emergency Committee has asked the American people to re-

duce their consumption of bread and other cereal products by 40 percent and to reduce their consumption of fats and oils by 20 percent in order that there may be enough supplies left in our stocks to meet our export commitments.

This committee has formulated guiding principles for the voluntary conservation of food. The Department of Agriculture's Information Section has published information which will be of help, not only for the conservation of wheat, but also for fats and oils and other foods as well. This information is designed for various groups and makes valuable suggestions to farmers, housewives, wholesalers, and retailers who want to cooperate. Suggestions are made on how bread may be conserved, for if every American will save two slices of bread a day, there will be enough to give 20,000,000 starving people their daily bread for the next six months. Suggestions are made on the saving of fats and oils, for it is estimated that a teaspoon of fat a day saved by every man, woman, and school child in the United States will mean a total saving of at least 1,000,000 pounds of fat a day which could be exported to the war-torn areas.

The American people, no doubt, are both willing and anxious to make more sacrifices in order to provide additional food to the starving people. The American people are not going to be satisfied with anything short of the maximum effort on the part of our Government and every citizen of the United States to provide and transport every possible ton of food to the people of the war-torn areas between now and the time the new crops are harvested.

Grains are the backbone of a large part of the world's diet. In addition to the question of preference, grains, particularly wheat, are much easier to ship than other foods. From the financial point of view they are also cheaper. Increased grain shipments are, therefore, the only way of solving the short-run problem, that is, the problem of preventing starvation between now and the next harvest.

This short-run problem is the one about which President Truman spoke on February 6,¹ and which Mr. Hoover and the Famine Emergency Committee are striving to solve through the conservation campaign. It is important that we cooperate to the fullest with this voluntary campaign. It is also important that we do not allow our remain-

ing wheat stocks to become dissipated. The time is too short to institute a rationing system for the mid-summer. It will be necessary to withdraw grain from the distribution level if we are to prevent a further excessive dissipation of our dwindling supplies.

Even with these new measures, however, a most vigorous purchasing program must be carried directly to the farms on a house-to-house canvass basis if the quantities of wheat and corn required are to be secured. In addition, the full cooperation of the millers, food processors and bakers, as well as all of the farmers of this country, is essential to assure the successful attainment of the export goals announced.

We must not overlook the longer-range problem—a world food shortage is likely to exist for the next two or more years. Even though nature may be kinder to us next year than this year, the shortage of fertilizer and seed and the problem of soil depletion and lack of adequate machinery and manpower are such that subnormal crops must be expected. The Emergency Economic Committee for Europe, an emergency organization of the governments of western Europe, has been meeting in London with the Director General of the United Nations Food and Agriculture Organization in an effort to tackle some of the long-run, as well as the immediate, problems. They have been discussing informally the best means of collecting, analyzing, and disseminating statistical, economic, and scientific information pertinent to the work of the Food and Agriculture Organization. Only the European area has been considered at this meeting, but similar meetings are planned in other parts of the world to discuss problems of other areas such as the Far East and the Americas.

The United Nations Food and Agriculture Organization plans to meet in Washington beginning May 20 with a view to coordinating efforts to meet world food needs in the winter of 1946-47 and throughout the following year.

To speed the movement of wheat from the farms in this country, the Department of Agriculture on April 3 announced that it would buy wheat from farmers, for immediate delivery to the Commodity Credit Corporation, at the market price on any later date the seller might elect on or before March 31, 1947; and on April 19 it added a bonus of

¹ BULLETIN of Feb. 17, 1946, p. 246.

30 cents a bushel if delivered before May 25. This should eliminate any tendency to hold present wheat stocks in anticipation of higher prices. I believe that most of our American farmers would release their wheat without consideration for price—if they realized the seriousness of the situation.

Accordingly, the Secretary of Agriculture has announced additional Government restrictions which are designed to make it possible for this Government to ship a total of 3,300,000 tons of grain to the deficit areas by June 30. These new measures include further restriction upon the inventories of millers and food manufacturers and provide for the Government's securing any stocks in excess of 21 days' supply which such manufacturers may hold. The new orders also limit the amount of wheat that can be used for domestic food processing to 75 percent of the amount so processed in comparable months of last year. This order will directly reduce the amount of bread which is being made available to the American consumer by over 25 percent since the mills of this country are presently operating at a higher rate than they were in the same period last year.

The recent order issued by the Department of Agriculture on April 19 will reduce the domestic consumption of wheat in this country. This order does not affect the production of flour for export, but will limit the amount of flour to be distributed domestically in all channels to 75 percent of normal.

The first of these measures will bring more wheat to market. The second will reduce the amount of flour available to the American consumer. These two measures supplement the President's nine-point program of February 6 and the measures taken to implement it. The President's nine-point program includes:

1. Campaign to conserve food—especially bread—by consumers, retailers, and bakers.
2. Stopping use of wheat and limiting use of other grains for alcohol and beer. Saving: 20,000,000 bushels of grain by June 30.
3. Extracting more flour from wheat (80 percent instead of 72 percent) and limiting distribution of flour. Saving: 25,000,000 bushels of wheat by June 30.
4. Control over inventories of wheat and flour.
5. Rail priorities for wheat, corn, meat, and other essential foods.

6. Control over exports of wheat and flour.

7. Export of 365,000 tons of fats and oils, 1.6 billion pounds of meat, and increase in exports of dairy products, particularly cheese and evaporated milk.

8. Additional shipping for food to Europe and for movement of Philippine copra (for cocoanut oil).

9. Conservation of grain used for feeding livestock.

The following measures were announced on April 19:

1. The Government is requiring millers to reduce the production of wheat flour for use in this country to 75 percent of the amount they distributed for that purpose in the corresponding months last year.

2. Food manufacturers are required to limit their use of wheat to 75 percent of the amounts they used in the same months of 1945.

3. Millers and food manufacturers having inventories of wheat in excess of an amount necessary to operate 21 days will not be permitted to grind unless they make this excess wheat or flour equivalent available to the Government.

4. The fourth measure, a bonus of 30 cents a bushel on wheat delivered under the certificate plan before May 25, is to encourage immediate delivery of increased amounts of wheat. Our shipments abroad lagged badly in April—and we are determined to meet our goals.

5. The Department of Agriculture is inaugurating a corn-purchase program in order to divert more corn from use as livestock feed to use as human food. In buying for this purpose, the Department will pay producers, until further notice, a bonus of 30 cents a bushel above the market price on the date of delivery.

6. This Government offers to buy an unlimited amount of oatmeal from the millers of the United States. Whole oats will also be purchased for relief shipment.

In addition the Office of Defense Transportation has given transportation priorities to foods that are to be shipped abroad.

The Office of Price Administration has agreed to a 10-percent reduction in the weight of bread with no lowering of bakers' price ceilings. However, the sale of "underweight" bread in many

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Private International Air Law: Fourteenth Plenary Session of CITEJA

Article by STEPHEN LATCHFORD¹

THE 14TH PLENARY SESSION of the CITEJA—meetings which were held in Paris from January 22 to 29, 1946—was the first session to be held by the CITEJA since the outbreak of the war.² An unusually large number of countries were represented. Prior to the war, the average attendance was by representatives of from 15 to 20 countries. According to a list furnished by the Secretary General of the CITEJA, 34 countries were represented at the January 1946 meetings as follows: Afghanistan, Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, Chile, China, Czechoslovakia, Denmark, Dominican Republic, Egypt, France, Great Britain, Greece, Haiti, Iran, Italy, Lebanon, Luxembourg, Mexico, the Netherlands, Peru, Poland, Portugal, Rumania, Spain, Sweden, Switzerland, Syria, Turkey, United States, and Yugoslavia.³ Of the countries listed, Afghanistan, Australia, Brazil, Mexico, Rumania, and Yugoslavia were represented by observers. Albert Roper, Secretary General of PICAQ and of CINA, and E. R. Marlin, liaison officer of PICAQ, also participated in the meetings.

The United States Delegation consisted of the following members:

Stephen Latchford, Chairman of the Delegation;

Arnold W. Knauth, Member of the United States Section of CITEJA, and Chairman of the Advisory Committee to the United States Section;

Emory T. Nunneley, Jr., Assistant General Counsel, Civil Aeronautics Board;

Howard B. Railey, Civil Air Attaché, American Embassy, Paris.

The large attendance at the January 1946 meetings of the CITEJA was, it is believed, the result of two factors: First, Resolution No. VII of the International Civil Aviation Conference held in Chicago in November and December 1944, in which

it was recommended that the various countries represented at Chicago give consideration to the desirability of bringing about the resumption of the CITEJA sessions and of appointing legal experts to attend the CITEJA meetings; and second, special efforts made by the French Government to interest as many countries as possible in having representation at the January 1946 meetings.

The CITEJA had an unusually extensive agenda because of the fact that it considered not only important questions affecting the reorganization of the CITEJA activities, but also the provisions of proposed international conventions dealing with specific problems in connection with the development of private international air law. The CITEJA develops its projects through four commissions, known as the First, Second, Third, and Fourth Commissions, which are, in effect, subcommittees. Several projects were completed by some of these commissions at their meetings in January 1946, and immediately thereafter proposed international conventions based on these completed projects were adopted by the CITEJA in plenary session.

Resolution VII of the Chicago Civil Aviation Conference of 1944 also recommended that con-

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² The Comité International Technique d'Experts Juridiques Aériens (usually referred to as the CITEJA) is translated in the United States as the International Technical Committee of Aerial Legal Experts.

³ The CITEJA has been engaged in the development of a code of private international air law since 1926. See article by Mr. Latchford entitled "Private International Air Law", *BULLETIN* of Jan. 7, 1945, p. 11. For the reorganization of the United States section of CITEJA and the organization of an advisory committee to the United States Section, see *BULLETIN* of Feb. 3, 1946, p. 169.

sideration be given by the various governments to the desirability of coordinating the activities of CITEJA with those of the Provisional International Civil Aviation Organization (PICAO) and with those of the permanent International Civil Aviation Organization provided for in the Convention on International Civil Aviation, drawn up at Chicago on December 7, 1944, after the permanent organization comes into existence. The CITEJA at its January meeting took up for consideration a resolution adopted by the Interim Council of PICAO at Montreal in November 1945, in which the Council went on record as being in favor of establishing a procedure for considering CITEJA matters in coordination with CITEJA, for maintaining liaison with that organization so that the Council might be kept fully informed on all matters under consideration by CITEJA, and for having the Assembly of PICAO hereafter considered as the international conference to consider CITEJA draft international conventions instead of having a government call an international conference for that purpose as has been the prac-

⁴ At a meeting of the Interim Council of PICAO at Montreal on Nov. 23, 1945, the Council approved the following recommendation of its Air Transport Committee:

"That, with respect to . . . matters under consideration by CITEJA, or which may arise in the future, the President and the Secretariat establish a procedure for considering such matters in coordination with CITEJA, and for the purpose of maintaining liaison with CITEJA so as to keep fully informed on all matters under consideration by CITEJA, and that hereafter the Assembly should be considered as the international conference to consider CITEJA draft conventions instead of calling special conferences for that purpose."

The Air Transport Committee also recommended that upon the coming into force of the International Convention on Civil Aviation adopted at the International Civil Aviation Conference at Chicago in 1944, steps should be taken to bring about the merger of CITEJA with the new International Civil Aviation Organization established by that convention so that all matters relating to international aviation may be under the jurisdiction of a single world organization as far as possible. The Council at its meeting on November 23, 1945 took no action on this recommendation. It is understood that the Council felt that such action would be premature. However, the CITEJA provided in a resolution adopted by it at its Fourteenth Plenary Session in January 1946 for a study of the conditions under which the CITEJA might eventually be brought within the framework of the International Civil Aviation Organization.

⁵ See article by Mr. Latchford entitled "Coordination of CITEJA with the New International Civil-Aviation Organizations, BULLETIN of Feb. 25, 1945, p. 310.

tice in the past.⁴ Under this procedure the Assembly would take such action on the CITEJA drafts at it might deem appropriate. The delegates to the Assembly might adopt and sign conventions based on a study of the CITEJA drafts, after which the conventions would be subject to ratification or adherence by the interested governments, or they might decline to take any action on the CITEJA drafts or refer them back to CITEJA for further study.

The United States delegation at the CITEJA meetings in January 1946 urged that the CITEJA concur in the PICAO resolution and made particular reference to the desirability of having the CITEJA draft conventions acted on by the Assembly of PICAO. The following were among the arguments advanced in support of this plan. The proposed procedure would make it unnecessary to wait for several years after the adoption of CITEJA projects for a government to call a diplomatic conference on private air law for the purpose of acting on the CITEJA draft conventions, and would tend to avoid the criticism that some of the CITEJA projects do not fully take into consideration the problems of the air transport carriers or are not sufficiently coordinated with the problems arising under international public air law which have a very important relation to the drafts developed by CITEJA. The plan proposed would also avoid the expense incurred by various governments in the past in sponsoring or sending delegates to international conferences on private air law.⁵ The CITEJA adopted a resolution agreeing in principle to liaison and cooperation with PICAO and to having the PICAO call international conferences for the purpose of giving consideration to draft conventions adopted by CITEJA, but expressed the wish that such conferences be open to the largest possible number of states. In other words, it was felt that the states participating in the development of a code of private international air law should not necessarily be limited to those which are members of PICAO. There appeared to be a reluctance on the part of certain members of CITEJA to the bringing about of any radical departure from the procedure heretofore followed in calling international conferences on private international air law for completing action on CITEJA drafts, and these members thought that the past procedure should in principle be retained. However,

in view of the discussions at the January meetings, it is believed that this point of view would be substantially met if the Assembly of PICAQ should at some stage of its proceedings resolve itself into an international conference for the specific purpose of taking action on CITEJA matters.⁶

The CITEJA resolution also provides for a study through its Secretariat, in collaboration with the Secretariat of the PICAQ, of the feasibility of eventually bringing the CITEJA within the framework of the International Civil Aviation Organization, which would presumably be the permanent organization under the Chicago civil aviation convention after it comes into force. The minutes of the CITEJA meetings included a statement indicating that the plan of liaison and co-operation with PICAQ as agreed to by CITEJA would not be limited to the Provisional International Civil Aviation Organization but would apply equally to the permanent International Civil Aviation Organization after the Chicago civil aviation convention comes into force.

Prior to the war the various governments represented on the CITEJA contributed only a nominal amount toward the expenses of the Secretariat. In order to make it possible for the CITEJA to function in a satisfactory and effective manner, particularly in connection with the new duties which it will assume, including collaboration with PICAQ, the CITEJA at the January meetings agreed upon a larger budget. For the purpose of contribution the participating countries will be divided into groups paying different quotas, instead of each country's contributing the same amount, as has been the practice in the past. The United States will be placed in the group expected to contribute about \$1,800 a year. The increased budget is subject, of course, to the willingness of the governments to appropriate the necessary funds.

Proposed Conventions Adopted at the January 1946 CITEJA Sessions

Prior to the war the CITEJA had under consideration a proposed convention conferring upon CITEJA the power to interpret private air law conventions as adopted at international conferences on private international air law and to prepare texts of execution or application of such conventions. The United States delegations to the CITEJA meetings in the past have been opposed to

the project on the ground that interpretation of conventions was principally a matter for decision by courts in appropriate cases and was not a function that should be performed by an international drafting committee concerned with the preparation of preliminary texts. At the January meetings the reporter for this subject proposed three separate projects conferring upon CITEJA certain powers of (1) interpretation, (2) preparation of texts of execution of rules of international air law and (3) arbitration of disputes concerning the application of a rule of international air law. The United States delegation participated with others in the discussion of these projects with the result that certain objectionable provisions were eliminated, including those which would have conferred upon the CITEJA authority to make interpretations, and to prepare texts of execution, with respect not only to private air law but to public air law as well. These projects were amended so as to have the powers of interpretation and execution apply only to private air law conventions. The reporter's projects as submitted by him to the January meetings provided that the CITEJA could render an opinion or prepare texts of execution at the request of any state, or international organization, national public authority, or interested individual. These provisions were amended in order to eliminate the reference to interested individuals, and an additional provision was inserted providing for the making by CITEJA of recommendations on the interpretation of any international regulation on air law if requested by the Provisional International Civil Aviation Organization or by the International Commission for Air Navigation, which is still functioning under the Paris Air Navigation Convention of 1919. With respect to interpretation and execution, the projects adopted at the January meetings provide that the CITEJA would act only in a consultative capacity and that its recommendations would not of themselves have any binding force. The projects on interpretation and execution as adopted by CITEJA in January 1946 have been submitted by

⁶ Since the preparation of this article, the Department of State has been informed by the United States Representative on the Interim Council of PICAQ that it is considered to be impracticable to have a separate international conference alongside of the meeting of the Assembly of PICAQ, which is scheduled to hold sessions at Montreal beginning on May 21, 1946. Therefore, the projects developed by CITEJA and referred to PICAQ will be considered as a part of the agenda of the Assembly.

CITEJA to the PICAQ Secretariat for action by an international conference on private air law. The project on arbitration was held over for further study by the CITEJA.

When the CITEJA was organized in 1926, pursuant to a resolution adopted at the First International Conference on Private Air Law at Paris in 1925 recommending the establishment of a permanent international committee to prepare the preliminary texts of private international air law projects, it adopted on its own initiative the regulations defining its functions and setting forth its rules of procedure. However, at the meetings last January the CITEJA adopted a proposed statute defining its functions. This contemplated statute is in the form of a proposed international convention which includes the following provisions: the establishment of CITEJA on a permanent basis; the maintenance of French as the official language of CITEJA, but publication of documents and resolutions in English, French, and Spanish instead of French only as at present; the rendering of opinions on questions of private international air law submitted to CITEJA by governments, official international organizations, or national public administrations; the granting by each party to the proposed convention to the experts of the other parties of the privileges and immunities necessary for the exercise of their functions, and to the Secretary General and all the other personnel of the privileges and immunities which are accorded to corresponding personnel of other public international organizations. The draft convention contains also an interesting provision to the effect that the quarters occupied by the CITEJA, its functions or its meetings, as well as its archives, shall be inviolable. The proposed statute as adopted by CITEJA in January has been transmitted to the PICAQ Secretariat for appropriate action by an international conference on private air law.

Prior to the interruption of the CITEJA meetings as a result of the war, one of the CITEJA commissions had on its agenda a proposed convention relating to assistance and salvage of aircraft on land. This draft set forth the conditions under which the commander of an aircraft would have a limited obligation to go to the assistance of other aircraft in distress, and it set forth the rules for the payment of remuneration and indemnity to the salvor rendering assistance. It also included pro-

visions whereby a government might designate certain danger areas, such as desert regions or uninhabited areas, which aircraft could not enter without satisfactory arrangements having been made with the local authorities for assistance in case the aircraft should be in distress. A draft convention on land salvage was adopted by CITEJA in plenary session in January, but during the discussions on this draft, the United States delegation called attention to the fact that Annex L of the technical regulations drawn up in provisional form at the Chicago aviation conference contained provisions relating to search and rescue of aircraft in distress and that a new set of international standards and recommended practices dealing with the subject of search and rescue, based upon a study of the search and rescue provisions of Annex L, has been developed in connection with the deliberations of the Interim Council of PICAQ. In that connection the delegation suggested the desirability of having close collaboration between the CITEJA and PICAQ in the development of a project on land salvage, so that if an international convention on land salvage within the field of private international air law is to be adopted and signed, it would not be in conflict with any rules on search and rescue developed as the result of the studies of the Interim Council at Montreal. It was agreed that such collaboration would be necessary.

The draft convention on land salvage adopted by CITEJA at the meeting in January has been submitted by CITEJA to the Interim Council of PICAQ with an understanding to the effect that it is to be submitted to an international conference provided that no modification in the draft is made by PICAQ before its submission to such conference. In view of the fact that heretofore the delegates to international conferences on private air law are understood to have been free to take such action as they deemed appropriate on draft conventions on their agenda which were adopted by CITEJA in plenary sessions, or to make recommendations concerning the disposition of other CITEJA drafts, this reservation on the part of CITEJA appears to require some explanation. It is believed from a study of the proceedings of the CITEJA meetings in January that that organization had in mind the fact that a study of search and rescue had been instituted under the auspices of the Interim Council at Montreal and that the CITEJA felt that if the Interim Council con-

considered that as a result of that study and of a further study of the matter some modification should be made in the CITEJA project on land salvage, the CITEJA should have an opportunity to reexamine its project in the light of any observations that might be made by the Interim Council before it is submitted to an international conference on private air law for final adoption and signature. It appears then that CITEJA considers that where its projects are placed by PICAQ on the agenda for an international conference such projects should be submitted to the conference in the form developed by CITEJA.

The Warsaw Convention of 1929 contains provisions relating to the liability of the air transport operator for damages to persons and property in international transportation. This Convention was prepared by CITEJA in preliminary form, and the CITEJA project was referred for final adoption and signature to the Second International Conference on Private Air Law (a diplomatic conference) held in Warsaw in October 1929. The Convention as adopted at Warsaw has been ratified or adhered to by many countries, including the United States. At its plenary session in January 1946 the CITEJA adopted a proposed revision of the Warsaw Convention, and the amendments have been transmitted by the CITEJA to the Secretariat of PICAQ for submission to an international conference on private air law.

The delegates to the Chicago aviation conference adopted a resolution recommending that consideration be given to the early calling of an international conference for the purpose of adopting a convention dealing with the transfer of title to aircraft and that such conference include in the bases of discussions two draft conventions adopted by CITEJA in 1931 relating to (1) aircraft mortgages and (2) the setting up of an aeronautic register or aircraft property record for recording the transfer of property rights in aircraft. Since it was considered highly desirable to have in force as soon as possible conventions on aircraft mortgages and the aircraft property record, in view of the anticipated increase in the sales of aircraft in international trade, the Government of the United States, shortly after the Chicago aviation conference, requested the heads of United States diplomatic missions to ascertain whether the governments to which they were ac-

credited would authorize signature of the CITEJA 1931 drafts with some modifications that were suggested by the Government of the United States. However, in view of the PICAQ resolution adopted in November 1945, in which the Interim Council at Montreal went on record as being in favor of having draft conventions adopted by CITEJA in plenary sessions referred to the Assembly of PICAQ—a procedure agreed to in principle by CITEJA at its January 1946 sessions—the 1931 CITEJA draft conventions on mortgages and the aircraft property record have been included by the CITEJA with the draft conventions adopted at the January meetings and transmitted by the CITEJA to the Secretariat of PICAQ for consideration by an international conference on private air law.

The CITEJA still has the following subjects on its agenda:

1. Liability of air transport operators in the event of aerial collisions;
2. Aviation insurance;
3. Abandonment;
4. Legal status of the aircraft navigating personnel;
5. Legal status of the commander of the aircraft;
6. Arbitration;
7. Global limitation of liability;
8. Chartering of aircraft;
9. Tourist aircraft;
10. General average.

Most, if not all, of these subjects will be considered by CITEJA commissions which are scheduled to meet in Paris on July 9, 1946.

With reference to the subject of abandonment, it is understood that in maritime practice the term has to do with the action of the insured in abandoning damaged or lost property to the public authorities as a constructive total loss, and it is assumed that it is the intention of the CITEJA to consider the extent to which the maritime practice can be made applicable to aircraft.

The term *global limitation of liability* is understood to refer to a possible situation whereby an air transport operator might have an accumulation of liability as a result of a single accident involving liability of the operator under several of the conventions developed by CITEJA, such as the

(Continued on page 871)

Report on the West Indian Conference

Article by ELIZABETH H. ARMSTRONG¹

THE SECOND SESSION of the West Indian Conference, under the auspices of the Caribbean Commission, was held at St. Thomas, Virgin Islands of the United States, from February 21 to March 13, 1946. This Conference is notable for the fact that it constitutes the only international conference participated in by governments in which the people of colonies and overseas territories are directly represented and in which the views and aspirations of the peoples of such territories are freely expressed. Of the 29 delegates, 16 represented elected bodies or portions of elected bodies and 23 were natives of the Caribbean.

The first session of the West Indian Conference was held in Barbados in March 1944 under the auspices of the Anglo-American Caribbean Commission, which in December 1945 was expanded to include France and the Netherlands in its membership and was renamed the Caribbean Commission. The Commissioners and their advisers attended plenary sessions of the Conference, but the committee and subcommittee meetings were conducted exclusively by the delegates.

Two delegates from each of the following 15 Caribbean territories, accompanied by advisory staffs, participated in the second session:

FRANCE—French Guiana, Guadeloupe, Martinique

NETHERLANDS—Curaçao, Surinam

UNITED KINGDOM—Bahamas, Barbados, British Guiana, British Honduras, Jamaica, Leeward Islands, Trinidad, Windward Islands

UNITED STATES—Puerto Rico, Virgin Islands
There was also a Canadian observer present.

In a letter of February 7, 1946 to Charles W.

Taussig, U.S. Co-Chairman of the Caribbean Commission and chairman of the second session of the Conference, which was read to the Conference and very favorably received, President Truman set forth a message which established the tone of the Conference.² He made it clear that the policy of the United States with respect to the governments and peoples of the Caribbean region would be guided by the following basic tenets:

1. Encouragement of the effective application by all practicable means of the fundamental principles set forth in chapter XI of the Charter of the United Nations to the end that the progressive development of the peoples of the region in political, economic, educational, and social matters should be insured, this Government noting with particular satisfaction that in all such non-self-governing territories the interests of the inhabitants are to be regarded as paramount.

2. Support of the work of the Caribbean Commission to the end that problems of the region may be approached as a whole and not piecemeal, the Government of the United States looking with satisfaction on the recent expansion of the Caribbean Commission to include the Governments of France and the Netherlands and anticipating increasing participation in the work of that Commission by the peoples of the territories of the four countries concerned.

3. Assistance by appropriate action in carrying out the economic objectives recommended by the first session of the West Indian Conference held in Barbados in March 1944.

4. Support for any suitable plan which would bring the non-self-governing territories of the Caribbean region into closer cooperation with each other, with a view to developing the educational, social, and cultural institutions of the region, improving the standards of living of the people, and strengthening the foundations upon which self-governing institutions may be developed.

Mr. Taussig in his opening speech³ stated that

¹ Miss Armstrong is Assistant in the Division of International Organization Affairs, Office of Special Political Affairs, Department of State.

² BULLETIN of Mar. 3, 1946, p. 332.

³ BULLETIN of Mar. 3, 1946, p. 333.

the objective before the delegates was the achievement of "social, economic, and political progress" and that these practical reforms might easily become mere palliatives unless built on the foundation of essential human rights. He pointed out that the only real defense against the misuse of atomic energy would be found in the spiritual awakening of mankind, and that the people of the Caribbean in particular required two well-defined charters which should be basic for all that men strive to attain. One of these charters would be a bill of human rights, a simple statement of what an individual might require of his fellow man to live his life in security and happiness; the other would be a bill of human obligations, a statement of the sacrifices that must be made by an individual to assure these basic rights to his neighbor.

The Plenary Session

The first 10 days of the Conference were devoted to plenary sessions in which delegates took the opportunity to consider regional problems along broad and general lines. There was considerable discussion of press policy for the Conference. It was decided to admit the press to all plenary sessions and committee meetings but to limit subcommittee discussions to their own membership. The Conference also discussed the question of procedure and voluntarily decided to limit speeches to eight minutes.

In the course of these plenary meetings, the Delegation of Puerto Rico proposed that the Conference should set up a committee to draft a charter of human rights and obligations for the Caribbean that should express the aspirations and hopes of the peoples of the area on economic, social, and political matters. The proposal led to considerable controversy among the delegates. The French claimed that the proposed charter bordered on the political field and thus would be beyond the terms of reference of the Commission. The Netherlands Delegation argued that they were unprepared to discuss this new item. The British West Indian Delegations were rather evenly divided as to the wisdom of bringing up the matter. When it became evident that the discussion of the proposed charter would lead to considerable controversy and delay, the Puerto Rican Delegation agreed to table its resolution. It was decided that the matter would not again come up at that session save by a majority decision of the entire Conference, but during the later plenary meetings the delegates

agreed to discuss the question at the next session of the Conference.

The Meetings of Committees

On the conclusion of the first series of plenary sessions the Conference split up into three main committees and 12 subcommittees: Committee I dealt with organization matters; Committee II considered certain basic problems of the area; and Committee III took up recommendations for specific action.

The principal recommendations of Committee I (Organization Matters) were:

1. That the West Indian Conference should meet biannually.
2. That a central secretariat headed by a secretary general should be created.
3. That all the territories of the region should be fully consulted as to the proposed agenda well in advance of the opening of any session of the Conference and that the territories should seek suggestions from their representative legislative bodies or general councils, the final agenda thus being based on the comments received from the region.
4. That the Caribbean Research Council should undertake a study of the economic potentialities of the mainland territories of the Guianas and British Honduras, with a view to the solution of their problems of underpopulation.

It is interesting and significant to note that there was considerable pressure in Committee I and later during a public debate in the plenary session for a resolution proposed by the Delegate from Barbados, himself an elected member, providing that only elected members of the legislative bodies or general councils should be eligible as delegates to any future sessions of the West Indian Conference. The resolution received considerable support, especially from the more politically advanced delegates from the British territories, and was finally submitted as a minority recommendation in the committees' report to the entire Conference.

Committee II (Consideration of Certain Basic Problems of the Area) had six subcommittees which dealt with:

- a. Agricultural diversification
- b. Industrial diversification
- c. Trade and transportation

- d. Health
- e. Plant and animal quarantine
- f. Research

Committee II made the following recommendations:

1. Endorsed the specific recommendations on agricultural diversification made at the first session of the West Indian Conference in Barbados.

2. Recommended that soil surveys should be immediately initiated in those territories in which this work had not been begun.

3. Recommended that a conference on industrial development be convened by the Caribbean Commission not later than February 1947, and that a survey on industrial diversification should be made prior to the calling of such a conference.

4. Suggested that the terms of reference of the conference on industrial development should be extended to cover trade and transportation within the Caribbean.

5. Expressed the opinion that consideration should be given by the appropriate authorities to the possibility of inviting those territories not at present associated with the work of the Caribbean Commission (including the countries on the South and Central American seaboard of the Caribbean as well as Canada) to participate in the proposed industrial conference.

6. Recommended that conferences of individuals concerned with health education should be provided for by the Caribbean Commission and that it should consider the advisability of appointing a committee on health education with a view to formulating a regional health-training program and establishing training centers in the region.

7. Suggested that a survey should be made to determine the nutritional needs of all children whether in school or not.

8. Made a number of minor recommendations on the subject of quarantine for humans as well as for plants and animals.

9. Recommended that members of the Caribbean Research Council should be appointed by the Caribbean Commission from panels of suitable candidates submitted by both metropolitan and territorial governments (primary consideration being given to the technical qualifications of the candidates), that the secretariat of the Caribbean Research Council should be a section of the Commission's Central Secretariat, and that the Caribbean Research Council should be brought into

formal relationship with the United Nations Educational, Scientific and Cultural Organization.

Committee III (Consideration of Suggestions Recommended for Specific Action) dealt with:

- a. The tourist project
- b. Local crafts
- c. Sociological aspects of the Caribbean problems
- d. Conference of soil scientists

Committee III made the following recommendations:

1. Suggested that the feasibility of creating a regional (tourist) organization should be considered in detail.

2. Supported the recommendation made by the Anglo-American Caribbean Commission for a conference of Caribbean tourist interests and suggested that the proposed conference should be held in New York not later than June 30, 1946.

3. Stressed that "an unusual opportunity exists for the post-war development of a major tourist industry in the Caribbean area" and endorsed the so-called "regional approach" to Caribbean tourist development, believing that such an approach pointed the way to collective action by Caribbean governments.

4. Recommended that the Caribbean Commission should arrange for the creation of a special and permanent subcommittee of the Committee on Industrial Technology of the Caribbean Research Council to compile a bibliography of handicrafts in the Caribbean, investigate the uses of plants and trees for handicraft industries, et cetera.

5. Suggested that certain special studies on such subjects as the variation in the course and levels of living in the various Caribbean territories, overpopulation and its remedies, unemployment, and producers' and consumers' cooperative movements in the region should be recommended to the Caribbean Commission and the Caribbean Research Council and that the problem of standardizing the methods of reporting on social and economic matters be studied.

6. Suggested that the Caribbean Commission convene an informal meeting of soil scientists.

Proposals for Future Agenda

At a plenary session held on March 8, 1946, the Conference appointed an *ad hoc* committee whose duty it was to consider proposals for future agenda

and to make recommendations to the Conference. After the delegates had made suggestions for future agenda to this Committee, the Conference as a whole accepted all of the recommendations except one, a Puerto Rican suggestion for studies on banking investment opportunities in the Caribbean. At a further plenary session held on March 11 the Conference accepted proposals for the agenda of the next session of the Conference, which included consideration of problems of:

1. Health and sanitation
2. Trade, including desirable trade agreements within the area
3. Welfare, including child delinquency, public assistance, social insurance
4. Distribution and movement of population within the area
5. Labor conditions
6. Education
7. Housing and city planning
8. The consideration and formulation of a bill of human rights and obligations by the next session of the Conference. (It was agreed that the Caribbean Commission should compile useful contributions of thought and opinion on this question from all sources within the area to be made available to the next session as a part of the documentation on this item and that a proposed bill of human rights and obligations based on this information should be formulated under the direction of the Commission to serve as a basis for the deliberations of the Conference.)

Meetings of the Caribbean Commission

In the course of the Conference, the Caribbean Commission itself held frequent meetings at which it considered such matters as the establishment of a central secretariat, the organization of future West Indian Conferences, the functioning of the Caribbean Research Council, and budgetary arrangements for the Commission, as well as for its two principal auxiliary organizations, the West Indian Conference and the Caribbean Research Council.

The Commission appointed a subcommittee on organization matters under the chairmanship of Ralph J. Bunche, United States Commissioner. This subcommittee, consisting of four Commissioners, one from each member nation, and three advisers from the United Kingdom, France, and the United States respectively, made the following

important recommendations, which were later unanimously adopted by the Commission as recommendations to the respective metropolitan governments:

1. That the secretariat should have its headquarters in the region, that it should be international in character, and that the Secretary General and the members of the staff should be responsible to the Commission and should not seek or receive instruction from any government or from any other authority external to the Commission.

2. That each member of the Commission should respect the international character of the responsibility of the Secretary General and his staff and should not seek to influence them in the discharge of their responsibility.

3. That the Secretary General should be appointed by the Commission, be its chief administrative officer, and be selected on the basis of the highest qualifications for the office.

4. That the personnel of the secretariat should be selected on the basis of equitable representation of the four nations which are members of the Commission, having due regard for the highest standards of efficiency, competency, and integrity, and should be recruited to the greatest extent practicable from the people of the region.

5. That the Secretary General should be responsible for the preparation of an annual budget covering the expenses of the Commission, its auxiliary bodies, and the secretariat, which should be submitted to the Commission for its approval and for eventual approval by the four metropolitan governments.

6. That the Commission should recommend to the metropolitan governments that, for the purpose of meeting these expenses, an adequate joint fund be established, which would be financed by contributions from the four member nations of the Commission in such proportion as might be determined from time to time.

7. That the Secretary General should prepare such reports, publications, memoranda, or other papers as might be required by the Commission, as well as agenda for meetings and conferences, and should be responsible for the official records of all meetings.

The Committee on Organization Matters also recommended to the Commission that the secretariat should consist initially of the Secretary

General; four assistants to the Secretary General, responsible respectively for the Caribbean Research Council, administration, social problems, and economic matters; two research secretaries for the Caribbean Research Council; one administrative assistant; one librarian; two translators; clerical and other staff—a total of 21 persons.

In its recommendations relating to the West Indian Conference the Committee on Organization Matters noted that the West Indian Conference was an auxiliary of the Caribbean Commission designed to provide consultation with representatives of the Caribbean territories and colonies of the four member nations. It was agreed that each Caribbean territory, colony, or group of colonies of the four member nations should be entitled to send two delegates and such advisers as it might consider necessary to each session of the Conference. The Conference should meet biannually, and the location of each session should be based on the principle of rotation of the four member governments of the Commission in the English alphabetical order. The chairman of each session of the Conference should be the co-chairman representing the metropolitan government in the territory in which the session is held.

The Committee also made suggestions to the Commission in matters arising directly from the establishment of the secretariat and the expansion of the Commission itself. The most important of these recommendations were:

1. That the present system of co-chairmen should be retained, and that each co-chairman should preside over Commission meetings according to the English alphabetical order of the Commission, irrespective of where the Commission meeting is held.
2. That the Commission should hold not less than two meetings a year and that such meetings should be held at the headquarters of the secretariat unless decided otherwise.
3. That during the periods between meetings the Secretary General should obtain approval from the four co-chairmen before taking action on important matters.
4. That the Commission should proceed as far as possible on the basis of unanimous agreement of all the commissioners present. If this should prove impossible, the decision or recommendation should be by unanimity of the four member nations. Decisions on procedural matters should be

considered approved if agreed to by at least three of the four member nations.

The Committee on Organization Matters also considered procedures for future Conference agenda and held several meetings with the Conference subcommittee dealing with the same subject. As a result of this happy collaboration, the proposals for future Conference agenda eventually adopted in plenary session represented the common views of the Commission and of the delegates themselves.

At the end of the Conference, Mr. Bunche in a speech pointed out that it was clear that certain fundamental principles for future sessions of the West Indian Conference had been established by general agreement. He stated that the most important of these principles were:

1. That there should be full and free expression of opinion by freely selected representatives of the people of the region within the bounds only of reason, responsible utterance, and regional interest.
2. That there should be prompt review of the recommendations of the Conference by the metropolitan governments concerned, combined with effective action by these governments on the acceptable recommendations, as well as public explanation of the grounds for any rejection.
3. That there should be open, public, and well-organized deliberations.
4. That there should be general agreement on an unshakable determination that the Caribbean people must enjoy higher standards of living, greater income, better housing, health, sanitation, clothing, education, and free political institutions, as well as equal apportionment of respect for the individual of whatever race, color, creed, or sex.

At the conclusion of the discussions by the three main committees their recommendations were submitted to the Conference as a whole and unanimously adopted in the plenary session held on March 12, 1946. Considerable discussion took place concerning a proposal that the legislative bodies of all the Caribbean territories should pass laws forbidding any kind of racial discrimination in hotels and other facilities open to tourists. Some of the delegates argued that such legislation was unnecessary and perhaps even undesirable, but there was general agreement that it would be in line with the accepted idea that the West Indians themselves should have the same free access as foreign visitors to all tourist facilities.

The Conference closed in the same atmosphere of mutual understanding and harmony which had marked all of its meetings. The great majority of delegates and advisers seemed to feel that this second session of the West Indian Conference had been instrumental not only in bringing together representatives of all the Caribbean territories but also in laying some concrete foundation for the future collaboration of the territories themselves, as well as of the metropolitan governments concerned.

Governor Tugwell of Puerto Rico, United States Commissioner, stirred the delegates to enthusiasm at the final session when he said: "If there are those who hope quietly to assassinate your proposals and to embalm them in the vastness of minutes and pigeon-holes, I warn them from long experience that this time the old methods will not work." He spoke of surging demands raised by the masses of the peoples everywhere for greater participation in the making of their own future and pointed out that this was particularly true of colonial peoples and those who, for one historical reason or another, possess something less than full self-government. He added that the Caribbean Commission and the West Indian Conference were not governing bodies, had no legislative, executive, or judicial powers, but were nevertheless important as a consultative and advisory body, as the repository of local tradition and achievements, and as the standard conscience of the region. Through it pride might come to the most progressive and shame to the most backward, and this in itself might lead to progress. In closing, Governor Tugwell expressed the hope that colonial offices and chancelleries would see in this institution not a threat to their private prerogative and a crass disturbance of their established methods but rather a convenient device for meeting demands and aspirations which would otherwise overwhelm them with their volume and persistence.

In his closing speech, Chairman Taussig expressed his admiration for the high type of repre-

sentation present at this second session of the West Indian Conference. He traced the evolution of the Anglo-American Commission through the difficulties and strains of war, paying particular tribute to the high caliber and vision of the men sent to Washington by the Government of the United Kingdom to assist in the establishment of the Commission. Mr. Taussig ended by expressing his unbounded faith in the future of the newly expanded four-power Commission and spoke of the urgent necessity of cooperation between the four metropolitan governments in the era of peace now opening before the world.

The West Indian Conference provided a clear demonstration of the utility of regional commissions in such areas as the Caribbean, inhabited largely by non-self-governing peoples living under adverse social and economic conditions. No one who was present at the recent conference failed to be impressed not only with the urgent need for social and economic reform but also with the reasonable spirit in which demands for social reforms were presented by the great majority of the delegates. The West Indian Conference and the Caribbean Commission itself can serve as an extremely useful channel for the expression of the hopes and desires of all the peoples of the West Indies. The very existence of these institutions constitutes a considerable guaranty of peaceful, orderly, and evolutionary development. Their existence and their functioning should do away with the old cycle of neglect, riots, and disturbances, investigations, and again neglect which has marked the course of West Indian history for too many years. If the Caribbean Commission, properly supported by the four metropolitan governments and by the peoples of the territories themselves, can make at least a beginning in the task of improving the shockingly bad economic and social conditions of the West Indies, its work will be an excellent augury for the establishment of regional commissions in other disturbed areas of the world, occupied largely by non-self-governing peoples.

Trial of Far Eastern War Criminals

THE INDICTMENT

Statement by Joseph B. Keenan¹

The Charter² divides the crimes over which the Tribunal is given jurisdiction into three categories: (a) "Crimes Against Peace", (b) "Conventional War Crimes" and, (c) "Crimes against Humanity". While this division is followed in the indictment, it will be contended that the basic justification for all of them is the same. It is that breaches of international law, whether established by custom or treaty, are crimes for which the personal responsibility lies not only upon the humbler individuals who actually commit specific breaches of the laws of war. That has always been recognized, but on the same legal principle it lies also upon those in higher positions who by their decisions bring about breaches of international law and treaties. The time has come to put into action this principle which has been boldly asserted and firmly established. The indictment involves no new law.

The charges are divided into three groups.

In each case the charges are laid under the Charter of the Tribunal, which is a restatement of international law, and in the case of Group Two, also under the domestic laws of the countries concerned including Japan.

Group One: The charges are laid both under article 5 (a) and 5 (b) of the Charter. All the counts allege wars both of aggression and in violation of international law, treaties, agreements, and assurances. On the facts of this case it will be contended that the distinction is immaterial. The first five counts charge conspiracies to wage such wars; the first comprehensively covering the whole plan as one conspiracy, the remaining four deal-

ing separately with various phases of it as it is alleged to have developed.

Counts 6 to 17 inclusive charge the defendants with the crime of planning and preparing such war separately against each nation.

Counts 18 to 26 inclusive charge the crime of initiating such wars separately against certain parties.

Counts 27 to 36 inclusive charge the crime of waging such wars separately against certain parties.

Group Two: The charges of murder are laid under all the paragraphs of article 5 of the Charter. It will be contended that the intentional killing of a human being without lawful justification is murder by the law of every civilized country including Japan, by whose law even the intention is unnecessary. Lawful belligerency, i.e., fighting a war of defense according to the laws of war, is such a justification, but Counts 37 and 38 allege that the belligerency of Japan was unlawful because it was in breach of treaties and aggressive in nature; in Count 37, owing to the absence of a declaration of war, and in Count 38, by reason of breaches of treaties forbidding such aggression. Counts 39 to 43 inclusive apply these contentions to specific instances of murder, in the various surprise attacks made on December 7th-8th, 1941.

Count 44 charges a conspiracy to procure or permit wholesale murder of prisoners of war and civilians on land and sea. Counts 45 to 50 inclusive are specific charges of murder in some of the most notorious of such cases, the "Rape of Nanking", and other cities in China. Counts 51 and 52 contain similar charges with regard to attacks on territories of the U.S.S.R. Examples of such wholesale murders during the wars which began in December 1941 are too numerous to be made the subject of separate counts.

It may seem strange to include charges of murder in an indictment before an international tri-

¹ Chief of Counsel for the Prosecution.

² For the text of the Charter of the International Military Tribunal for the Far East see BULLETIN of Mar. 10, 1946, p. 361.

bunal. But it is high time, and indeed was so before this war began, that the promoters of aggressive, ruthless war, and treaty-breakers should be stripped of the glamour of national heroes, and exposed as what they really are—plain, ordinary murderers.

Group Three: The charges are laid under paragraphs (b) and (c) of article 5 of the Charter, and it will be contended that paragraph (b) is adequate to cover them all. They allege conspiracy to commit and the actual commission of large numbers of breaches of the laws and customs of war, contained in or proved by the practice of civilized nations and the various conventions governing the conduct of hostilities, the treatment of prisoners of war, and of persons and property in occupied territories. It appears that those who framed the conventions never contemplated the possibility of such outrages as are alleged against Japan in the conduct of her wars from 1931 to 1945, and dealt with under the charge of murder in Counts 44 to 52 inclusive. So far as they are referred to in this group they have to be dealt with under such mild phrases as appear in the conventions, e.g., "inhumane treatment", "failure to respect individual life", etc.

The defendants named in these counts are alleged to be responsible for all these atrocities both because they initiated the policies which led to them, sometimes directly ordered their commission, and in all cases recklessly neglected the duty which lay upon them to take adequate steps to prevent them, in spite of numerous warnings.

In the particulars of breaches under this group in Appendix D, it is alleged that Japan habitually

violated almost every article of the conventions and every known law of war.

There are five Appendices. Appendix A gives, under ten subject-heads, an outline of the story which will be related to the tribunal with regard mainly to the charges in Group One. Appendix B gives the text of the principal articles of treaties which it is alleged that Japan violated in the course of wars which she planned, prepared, initiated, and waged between 1931 and 1945. Appendix C gives a list of assurances similarly alleged to have been broken. Appendix D gives an outline of the main laws of war, conventions, and assurances alleged to have been violated by Japan in the charges in Group Three, as well as the particulars of breaches above-mentioned. Appendix E gives as against each individual defendant particulars of the principal grounds on which he is included in the indictment, based mainly on the positions which he held and the activities with which he was connected during the period, especially during 1941.

It should be clearly understood that the omission of any name from the indictment in no sense implies that the individual is exonerated from complicity in the charges or may not be charged hereafter. For convenience and clarity in presenting the case it was found necessary to limit the numbers in this trial. Many of the principals are already dead. One, General Terauchi, has been omitted solely on the ground that his mental and physical condition makes it impossible to try him. But the indictment includes the survivors of those who, on the evidence at present available, appear to have the major responsibility for most of the phases and activities which contributed to the crimes alleged against Japan.

JAPANESE WAR LEADERS INDICTED FOR WAGING WARS OF AGGRESSION AND COMMITTING WHOLESALE MURDER

Twenty-eight military and political leaders of Japan during the period from January 1, 1928 to September 2, 1945 are charged with planning, preparing, initiating, and waging wars of aggression in violation of international law and treaties, committing wholesale murder, and instigating numerous "crimes against humanity", in a 55-count indictment presented on April 29 to the International Military Tribunal for the Far East.

The indictment, submitted by Joseph B. Keenan,

Chief of Counsel for the prosecution, was signed by Mr. Keenan on behalf of the United States and by associate counsel representing 10 other nations with which Japan was at war: China, United Kingdom, Union of Soviet Socialist Republics, Australia, Canada, France, Netherlands, New Zealand, India, and Philippines.

All 28 defendants are accused of participating as "leaders, organizers, instigators or accomplices" in formulating or executing a conspiracy with Ger-

many and Italy to "secure the military, naval, political and economic domination of the whole world, each having special domination in its own sphere". The accused are held responsible for "all acts performed by themselves or by any person in execution of this plan".

The defendants are:

SADAO ARAKI, former general, War Minister, member of the Supreme War Council, and Education Minister.

KENJI DOHIHARA, former general, commander of Special Service Section in Manchuria, chief adviser to the North China autonomous government, and Inspector General of Military Training.

KINGORO HASHIMOTO, commander of an artillery regiment at the rape of Nanking and of Japanese forces which shelled the *Ladybird* and the *Panay*, a founder of the Imperial Rule Assistance Association, and alleged to have been a promoter of plots to remove politicians not considered sufficiently aggressive.

SHUNROKU HATA, former general, member of Supreme War Council, War Minister, and commander in chief of the expeditionary force in central China from July 1940 to 1944.

KIICHIRO HIRANUMA, Prime Minister in 1939, former president of the Privy Council, and cabinet minister under Konoye.

KOKI HIROTA, Prime Minister from March 1936 to February 1937, and Foreign Minister under Saito, Okada, and Konoye.

NAOKI HOSHINO, chief of general affairs in Manchukuo in July 1937, president of the Planning Board under Konoye and Chief Secretary and Minister of State under Tojo.

SEISHIRO ITAGAKI, former general, chief of staff of Kwantung army, and War Minister under Konoye and Hiranuma.

OKINORI KAYA, Minister of Finance under Konoye in 1937 and 1938, president of the North China Development Company, and Finance Minister under Tojo.

KOICHI KIDO, cabinet minister under Konoye and Hiranuma, Lord Keeper of the Privy Seal from 1940 to 1945, chief confidential adviser to the Emperor and chairman of meetings of ex-premiers.

HEITARO KIMURA, former general, chief of staff of the Kwantung army, Vice War Minister under Konoye and Tojo, and commander in chief of the Japanese Army in Burma in 1944.

KUNIAKI KOISO, former general, Prime Minister from July 1944 to April 1945, chief of staff of the Kwantung army, Overseas Minister under Hiranuma and Yonai, and Governor General of Korea in 1942.

IWANE MATSUI, former general, commander in chief of Japanese forces in central China in 1937 and 1938, member of the Cabinet Advisory Council in 1938 and 1939, and president of the Greater East Asia Development Society.

YOSUKE MATSUOKA, Foreign Minister under Konoye in 1940 and 1941, chief delegate to the League of Nations Assembly in 1933, and president of the South Manchurian Railway from 1935 to 1939.

JIRO MINAMI, former general, member of the Privy Council from 1942 to 1945, War Minister in 1931, and commander in chief of Kwantung army from 1934 to 1936.

AKIRA MUTO, chief of the Military Affairs Bureau of the War Ministry from 1939 to 1942, and chief of staff of the 14th Area Army in the Philippines under Yamashita in 1944.

OSAMI NAGANO, former admiral, Navy Minister under Hirota, commander in chief of the combined fleet in 1937, and member of the Supreme War Council in 1940.

TAKASUMI OKA, former vice admiral, chief of the General and Military Affairs Bureau of the Navy from 1940 to 1944, and Vice Navy Minister under Koiso in 1944.

SHUMEI OKAWA, an officer of the South Manchurian Railway alleged to have been an organizer of the Mukden incident on September 18, 1931, and a propagandist for the expulsion of the white races from Asia by aggressive war.

HIROSHI OSHIMA, Ambassador to Germany in 1938 and 1939 and from 1941 to 1945.

KENRYO SATO, former lieutenant general, chief of the Military Affairs Bureau of the War Ministry from 1942 to 1944.

MAMORU SHIGEMITSU, Foreign Minister under Tojo and Koiso from April 1943 to April 1945, and former Ambassador to U.S.S.R., Great Britain, and puppet government of Nanking.

SHIGETARO SHIMADA, former admiral, Navy Minister under Tojo in 1941, and member of Supreme War Council in 1944.

TOSHIO SHIRATORI, Ambassador to Italy in 1939 and adviser to the Japanese Foreign Office in 1940.

(Continued on page 853)

The United Nations

The Security Council

SUMMARY STATEMENT BY THE SECRETARY-GENERAL OF MATTERS OF WHICH THE SECURITY COUNCIL IS SEIZED AND OF THE STAGE REACHED IN THEIR CONSIDERATION

Pursuant to Rule 11 of the Provisional Rules of Procedure of the Security Council, I submit the following Summary Statement of matters of which the Security Council is seized and of the stage reached in their consideration on 29 April 1946.

1. *The Iranian Question.*

The Iranian application, dated 19 January 1946, was considered at the third and fifth meetings of the Security Council in London. At the fifth meeting, a resolution was unanimously adopted requesting the parties to inform the Council of any results achieved in negotiations between them. The Council in the meanwhile retained the right at any time to request information on the progress of the negotiations.

The Iranian question was further considered at the twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth and thirtieth meetings, and after various procedural decisions, it was resolved by nine votes (the representative of the U.S.S.R. being absent and the representative of Australia abstaining) that

“ . . . the Council defer further proceedings on the Iranian application until 6 May, at which time the Soviet Government and the Iranian Government are requested to report to the Council whether the withdrawal of all Soviet troops from the whole of Iran has been completed and at which time the Council shall consider what, if any, further proceedings on the Iranian appeal are required;

“provided, however, that if in the meantime either the Soviet Government or the Iranian Government or any member of the Security Council reports to the Secretary-General any developments

which may retard or threaten to retard the prompt withdrawal of Soviet troops from Iran, in accordance with the assurances of the Soviet Union to the Council the Secretary-General shall immediately call to the attention of the Council such reports which shall be considered as the first item on the agenda.” (Pages 458-459, Security Council Journal No. 24).¹

By letter dated 6 April 1946 and addressed to the President of the Council, Ambassador A. A. Gromyko proposed that the Iranian question be removed from the agenda of the Council.

By letter dated 9 April 1946 and addressed to the Secretary-General, the Iranian Ambassador opposed this proposal.

By letter dated 15 April 1946 and addressed to the President of the Council, the Iranian Ambassador communicated the text of a telegram from his Government stating that it withdrew its complaint from the Council.

At the thirty-third meeting the Secretary-General submitted a memorandum to the President of the Council concerning the legal effect of the above letters from Ambassador A. A. Gromyko and the Iranian Ambassador. The Council referred this memorandum to the Committee of Experts.

At the thirty-third meeting Mr. Bonnet moved

“ . . . that the Security Council request the Secretary-General to collect the necessary information in order to complete the Security Council's report to the Assembly, in accordance with Article 24 of the Charter, on the manner in which it dealt with the case placed on its agenda on 26 March last at the request, not withdrawn, of the Government of Iran.”

¹ BULLETIN of Apr. 24, 1946, p. 621.

At the thirty-sixth meeting, the Council considered the Report of Dr. H. Saba, Chairman of the Committee of Experts, setting out the conclusions of the Committee of Experts after consideration of the Secretary-General's memorandum. The Council continued its discussion of the issues raised in the above letters from Ambassador A. A. Gromyko and the Iranian Ambassador. Mr. Gromyko associated himself with the above Resolution proposed by Mr. Bonnet. Mr. Bonnet's Resolution received three votes (France, Poland, and U.S.S.R.) and was declared lost. Mr. Gromyko said that the decision of the Council to retain the Iranian question on its agenda was contrary to the Charter. Accordingly, the Soviet delegation did not consider it possible to take any further part in the discussion of the Iranian question in the Council.

2. *The Spanish Situation.*

By letters dated 8 April 1946 and 10 April 1946 addressed to the Secretary-General, the Polish Ambassador, under Articles 34 and 35 of the Charter, requested the Security Council to place on its agenda the situation arising from the existence and activities of the Franco regime in Spain for consideration and for adoption of such measures as are provided for in the Charter.

At the thirty-fourth and thirty-fifth meetings the Council considered this application and resolutions submitted by the Polish and Australian representatives.

At the thirty-seventh and thirty-eighth meetings the Council considered the resolutions and amendments submitted by several representatives.

At the thirty-ninth meeting the Australian resolution, as amended, was adopted by ten votes, the Soviet representative abstaining. By this resolution the Council appointed a sub-committee of five of its members and instructed this sub-committee to report before the end of May. It was agreed that the sub-committee should be formed of the representatives of Australia (Chairman), Brazil, China, France and Poland. Dr. Lange said that he did not withdraw his earlier resolution demanding collective breaking of diplomatic relations with Spain. He understood that his earlier resolution would again be considered after the sub-committee had presented its report.

The sub-committee held its first meeting on 29 April 1946.

3. *Special Agreements under Article 43 of the Charter.*

At its second meeting the Council adopted the provisional agenda for its first meetings recommended by the Preparatory Commission. It deferred consideration of Item 10 of that provisional agenda:

"Discussion of the best means of arriving at the conclusion of the special agreements referred to in Article 43 of the Charter."

The question is being examined by the Military Staff Committee.

4. *Rules of Procedure of the Security Council.*

As instructed by the Council at its first and twenty-third meetings, the Committee of Experts submitted revised provisional Rules of Procedure at the thirty-first meeting, together with recommendations concerning communications from private individuals and non-governmental bodies.

After minor amendments the Security Council adopted these Rules of Procedure and recommendations, the approved text being reproduced in Document S/35.

It was agreed that the Committee of Experts should formulate additional rules of procedure for submission to the Council, and this work is proceeding.

5. *Statute and Rules of Procedure of the Military Staff Committee.*

At the twenty-third meeting it was agreed to postpone consideration of the Report of the Military Staff Committee concerning its Statute and Rules of Procedure (Document S/10). The Committee of Experts was instructed to examine the Report. It was also agreed that pending the approval by the Council of the Report of the Military Staff Committee, the Military Staff Committee was authorized to carry on its business along the lines suggested in its Report.

At the twenty-fifth meeting consideration of the Report was further postponed pending examination by the Committee of Experts. The Committee of Experts has been engaged in consideration of the Provisional Rules of Procedure for the Security Council and has not yet examined the Report of the Military Staff Committee.

6. *The Application for the Admission of Albania as a Member of the United Nations.*

By letter addressed to the Acting Secretary-General, Mr. Edvard Kardelj, Vice-Premier of Yugoslavia requested that the Security Council recommend to the General Assembly the admission of Albania as a Member of the United Nations. The letter enclosed a telegram from Colonel-General Enver Hoxa, President of the Peoples' Republic of Albania, addressed to the President and Vice-Presidents of the General Assembly applying for the admission of Albania as a Member of the United Nations.

At the third meeting it was agreed without objection that this application be placed on the agenda (page 47, Security Council *Journal* No. 5). At the eighteenth meeting, Mr. Stettinius made the following proposal:

"I move that this item be kept on our agenda, but disposition be deferred pending further study until the Security Council convenes at the temporary headquarters" (page 216, Security Council *Journal* No. 14).

Seven delegations voted in favour of this proposal and the President declared that it was adopted.

STATEMENT BY THE DELEGATIONS OF THE FOUR SPONSORING GOVERNMENTS ON VOTING PROCEDURE IN THE SECURITY COUNCIL

Specific questions covering the voting procedure in the Security Council have been submitted by a Sub-Committee of the Conference Committee on Structure and Procedures of the Security Council to the Delegations of the four Governments sponsoring the Conference—the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the Republic of China. In dealing with these questions, the four Delegations desire to make the following statement of their general attitude towards the whole question of unanimity of permanent members in the decisions of the Security Council.

I

1. The Yalta voting formula recognizes that the Security Council, in discharging its responsibilities for the maintenance of international peace and security, will have two broad groups of functions.¹ Under Chapter VIII, the Council will have to make decisions which involve its taking direct measures in connection with settlement of disputes, adjustment of situations likely to lead to disputes, determination of threats to the peace, removal of threats to the peace, and suppression of breaches of the peace. It will also have to make decisions which do not involve the taking of such measures. The Yalta formula provides that the second of these two groups of decisions will be governed by a procedural vote—that is, the vote of any seven members. The first group of decisions will be

governed by a qualified vote—that is, the vote of seven members, including the concurring votes of the five permanent members, subject to the proviso that in decisions under Section A and a part of Section C of Chapter VIII parties to a dispute shall abstain from voting.

2. For example, under the Yalta formula a procedural vote will govern the decisions made under the entire Section D of Chapter VI. This means that the Council will, by a vote of any seven of its members, adopt or alter its rules of procedure; determine the method of selecting its President; organize itself in such a way as to be able to function continuously; select the times and places of its regular and special meetings; establish such bodies or agencies as it may deem necessary for the performance of its functions; invite a member of the Organization not represented on the Council to participate in its discussions when that Member's interest are especially affected; and invite any state when it is a party to a dispute being considered by the Council to participate in the discussion relating to that dispute.

3. Further, no individual member of the Council can alone prevent consideration and discussion by the Council of a dispute or situation brought to its attention under paragraph 2, Section A, Chapter VIII. Nor can parties to such dispute be prevented by these means from being heard by the Council. Likewise, the requirement for unanimity of the permanent members cannot prevent

¹ BULLETIN of Mar. 11, 1945, p. 394.

any member of the Council from reminding the members of the Organization of their general obligations assumed under the Charter as regards peaceful settlement of international disputes.

4. Beyond this point, decisions and actions by the Security Council may well have major political consequences and may even initiate a chain of events which might, in the end, require the Council under its responsibilities to invoke measures of enforcement under Section B, Chapter VIII. This chain of events begins when the Council decides to make an investigation, or determines that the time has come to call upon states to settle their differences, or makes recommendations to the parties. It is to such decisions and actions that unanimity of the permanent members applies with the important proviso, referred to above, for abstention from voting by parties to a dispute.

5. To illustrate: in ordering an investigation, the Council has to consider whether the investigation—which may involve calling for reports, hearing witnesses, dispatching a commission of inquiry, or other means—might not farther aggravate the situation. After investigation, the Council must determine whether the continuance of the situation or dispute would be likely to endanger international peace and security. If it so determines, the Council would be under obligation to take further steps. Similarly, the decision to make recommendations, even when all parties request it to do so, or to call upon parties to a dispute to fulfill their obligations under the Charter, might be the first step on a course of action from which the Security Council could withdraw only at the risk of failing to discharge its responsibilities.

6. In appraising the significance of the vote required to take such decisions or actions, it is useful to make comparison with the requirements of the League Covenant with reference to decisions of the League Council. Substantive decisions of the League of Nations Council could be taken only by the unanimous vote of all its members, whether permanent or not, with the exception of parties to a dispute under Article XV of the League Covenant. Under Article XI, under which most of the disputes brought before the League were dealt with and decisions to make investigations taken, the unanimity rule was invariably interpreted to include even the votes of the parties to a dispute.

7. The Yalta voting formula substitutes for the rule of complete unanimity of the League Council a system of qualified majority voting in the Security Council. Under this system non-permanent members of the Security Council individually would have no "veto". As regards the permanent members, there is no question under the Yalta formula of investing them with a new right, namely, the right to veto, a right which the permanent members of the League Council always had. The formula proposed for the taking of action in the Security Council by a majority of seven would make the operation of the Council less subject to obstruction than was the case under the League of Nations rule of complete unanimity.

8. It should also be remembered that under the Yalta formula the five major powers could not act by themselves since even under the unanimity requirement any decisions of the Council would have to include the concurring votes of at least two of the non-permanent members. In other words, it would be possible for five non-permanent members as a group to exercise a "veto". It is not to be assumed, however, that the permanent members, any more than the non-permanent members, would use their "veto" power wilfully to obstruct the operation of the Council.

9. In view of the primary responsibilities of the permanent members, they could not be expected, in the present condition of the world, to assume the obligation to act in so serious a matter as the maintenance of international peace and security in consequence of a decision in which they had not concurred. Therefore, if a majority voting in the Security Council is to be made possible, the only practicable method is to provide, in respect of non-procedural decisions, for unanimity of the permanent members plus the concurring votes of at least two of the non-permanent members.

10. For all these reasons, the four sponsoring Governments agreed on the Yalta formula and have presented it to this Conference as essential if an international organization is to be created through which all peace-loving nations can effectively discharge their common responsibilities for the maintenance of international peace and security.

II

In the light of the considerations set forth in Part I of this statement, it is clear what the an-

swers to the questions submitted by the Subcommittee should be, with the exception of Question 19. The answer to that question is as follows:

1. In the opinion of the Delegations of the Sponsoring Governments, the Draft Charter itself contains an indication of the application of the voting procedures to the various functions of the Council.

2. In this case, it will be unlikely that there

will arise in the future any matters of great importance on which a decision will have to be made as to whether a procedural vote would apply. Should, however, such a matter arise, the decision regarding the preliminary question as to whether or not such a matter is procedural must be taken by a vote of seven members of the Security Council, including the concurring votes of the permanent members.

DISCUSSION OF SOVIET-IRANIAN MATTER AT 40TH MEETING¹

Remarks by the U.S. Representative²

The Security Council, in its resolution of April 4, requested the Soviet Government and the Iranian Government to report to the Council on May 6 whether the withdrawal of all Soviet troops from the whole of Iran had been completed.

The Soviet Union has not complied with the request of the Council. The Iranian Government, on its part, has complied with the request, but only in a preliminary manner, and apparently, as fully as conditions have permitted. In its report, the Iranian Government stated that it was not possible, at this time, for its representatives to make a complete report because it had had no opportunity to ascertain through its own officials the conditions prevailing in the Province of Azerbaijan.

In view of this statement of the Iranian Government that it will report promptly to the Council the true state of affairs in Azerbaijan as soon as it is able, and to ascertain the facts through its own official representatives, and recognizing the communication and the travel difficulties in that remote area, I wish to submit to the Council, for its consideration, a resolution which I would like to read to you at this time:

"The Security Council resolves, in view of the statement made by the Iranian Government in its preliminary report of May 6, submitted in compliance with the resolution of April 4, 1946, that it was not able as of May 6 to state whether the withdrawal of all Soviet troops from the whole of Iran had been completed,

to defer further proceedings on the Iranian matter in order that the Government of Iran may

have time in which to ascertain through its official representatives whether all Soviet troops have been withdrawn from the whole of Iran;

that the Iranian Government be requested to submit a complete report on the subject to the Security Council immediately upon the receipt of the information which will enable it so to do; and that in case it is unable to obtain such information by May 20, it report on that date such information as is available to it at that time;

and that immediately following the receipt from the Iranian Government of the report requested, the Council shall consider what further proceedings are required."³

WAR CRIMINALS—Continued from page 848.

TEIICHI SUZUKI, president of the Cabinet Planning Board and Minister Without Portfolio under Konoye and Tojo from 1941 to 1943.

SHIGENORI TOGO, Foreign Minister under Tojo from October 1941 to March 1942 and under Suzuki in 1945.

HIDEKI TOJO, former general, Premier and War Minister from December 2, 1941 to July 1944.

YOSHIIRO UMEZU, former general, Vice War Minister from 1936 to 1938, commander of the Kwantung army from 1939 to 1944, and chief of the general staff in 1944 and 1945.

¹ Held on May 8. The Security Council has been in session in New York, N. Y., since Mar. 25, 1946.

² Edward R. Stettinius, Jr.

³ Adopted at 40th meeting.

LETTER FROM THE IRANIAN AMBASSADOR TO THE PRESIDENT OF THE SECURITY COUNCIL

6 May 1946

SIR:

On 4 April 1946 the Security Council resolved "that the Council defer further proceedings on the Iranian appeal until 6 May 1946 at which time the Soviet Government and the Iranian Government are requested to report to the Council whether the withdrawal of all Soviet troops from the whole of Iran has been completed and at which time the Council shall consider what, if any, further proceedings on the Iranian appeal are required. . . ."

The Iranian appeal set forth in the letter of 18 March 1946 related to two matters which it was stated were likely to endanger international peace and security. The first of these referred to the maintenance of Soviet troops on Iranian territory after 2 March 1946; and the second (which was first presented to the Council at its meetings in London) referred to Soviet interferences in the internal affairs of Iran.

With respect to the withdrawal of the troops, the Soviet Union has officially informed the Security Council that the evacuation would be completed during a period of one and one half months from 24 March 1946.

For the reasons hereinafter stated it is impossible for me to make a complete report at this time. On the basis of the information received by me from my Government up to five o'clock this afternoon, I am able, however, to present to the Council the following report:

Soviet troops have now been completely evacuated from the Provinces of Khorassan, Gorgan, Mazanderan and Gilan. This information is based upon investigations made by responsible officials of the Government of Iran.

So far as the Province of Azerbaijan is concerned, the Government has been informed through other sources that the evacuation of Soviet troops from that Province has been going forward and it is said will have been completed before 7 May 1946. These reports have not been verified by direct observations of officials of the Iranian Government. The reason for this is that, as previously pointed out to the Council, the Iranian Government has been unable because of the interferences complained of, to exercise effective authority within Azerbaijan since 7 November 1945, and

from that time to the present has had no opportunity to ascertain through its own officials what are the conditions prevailing throughout that Province. While it is hoped that arrangements can be made which will remove the unfortunate results of the interferences complained of, it is impossible to forecast at this time with certainty what the subsequent developments will be.

As soon as the Iranian Government is able to ascertain through its official representatives the true state of affairs in the Province of Azerbaijan the facts will be reported promptly to the Council.

I have the honor [etc.]

HUSSEIN ALA
Iranian Ambassador

His Excellency,
DR. HAFEZ AFIPI PASHA,
President of the Security Council

STILLWELL—Continued from page 834.

areas violates the State and the local weights and measures laws. Secretary Anderson has asked governors of all States to work out a plan whereby underweight bread can be sold. Bread mislabeled as to weight puts the baker in violation of the Federal Food and Drug Act. The baking industry has pointed out the impossibility, in the short time remaining, of having wrappers printed showing the actual weight. The Department of Agriculture is working with the Federal Security Agency on means of complying with both the law and the objectives of the President's program.

The Commodity Credit Corporation will consider the purchase of dehydrated white potatoes produced from raw potatoes which are under loan to the Commodity Credit Corporation under the price-support program in Idaho, Oregon, Nebraska, Colorado, Minnesota, North and South Dakota, and Wyoming. Dehydrated potatoes purchased are intended for resale to India and other deficit areas to help relieve the food shortages.

There are many more ways in which we can conserve food. None should be overlooked for we must supply every possible ton of essential food which can be moved and shipped during the next few months.

We cannot afford the extravagance of too little—too late.

Proposal by the United States for the Establishment of a Subcommittee on Freedom of Information¹

[Released to the press May 8]

The Commission on Human Rights has been directed by the Economic and Social Council to undertake among its first tasks the preparation and submission of proposals, recommendations, and reports to the Council on freedom of information.

It is the view of the Government of the United States that:

(a) material progress toward the ultimate attainment of universal freedom of information is of the utmost importance if the United Nations is to achieve the purposes for which it has been established; (b) the Commission on Human Rights will require special advice and assistance in carrying out its responsibilities toward the fulfillment of this important and complex task.

It is therefore proposed that the Commission on Human Rights recommend to the Economic and Social Council the establishment, at the Council's next session, of a Subcommittee on Freedom of Information. This Subcommittee should consist of from ten to fifteen members, who need not be members of the Commission on Human Rights, to be appointed by the Council and serving in an individual capacity. The following terms of reference are suggested for the Subcommittee:

1. The Subcommittee should submit proposals, recommendations and reports to the Commission on Human Rights regarding freedom of information. In the discharge of this function, the Subcommittee should

a. determine what rights, obligations and practices should, in the Subcommittee's opinion, be included in the concept, freedom of information;

b. consider and report on the extent to which freedom of information as thus defined is accorded to the peoples of the United Nations; and the nature and extent of obstacles thereto;

c. examine proposals for promoting or facilitating freedom of information and eliminating obstacles thereto;

d. make recommendations to the extent deemed appropriate for action by the United Nations, by member states, and by UNESCO and other specialized agencies;

e. assume continuing responsibilities for discussing and preparing, with the assistance of the Secretariat, a draft provision on freedom of information to be incorporated in a bill of rights.

2. In the discharge of its functions the Subcommittee should maintain close working relations with UNESCO and other specialized agencies whose activities may be related to the field of its competence.

3. The Subcommittee may submit proposals to the Council, through the Commission on Human Rights, regarding its terms of reference.

United Nations War Crimes Commission

RESIGNATION OF JOSEPH V. HODGSON

In a letter to Lt. Col. Joseph V. Hodgson dated May 4, 1946, the President accepted his resignation as United States Commissioner on the United Nations War Crimes Commission. For texts of the letters exchanged between the President and Lieutenant Colonel Hodgson, see White House press release dated May 6, 1946.

¹Transmitted by the United States Delegation to the United Nations on May 8 to the Secretary-General for reference to the Commission on Human Rights, for consideration during the Commission's current meetings in New York.

International Organizations and Conferences

Calendar of Meetings

Council of Foreign Ministers:

Meeting of Deputies

London

January 18—temporarily adjourned

Meeting of Foreign Ministers

Paris

April 25

Far Eastern Commission

Washington

February 26

Allied-Swiss Negotiations for German External Assets

Washington

March 18

International Office of Public Health

Paris

April 24

PICAO:

European and Mediterranean Air Route Services Conference

Paris

April 24

Annual Meeting of the Assembly

Montreal

May 21

International Labor Organization: Metal Trades Committee

Toledo

May 2

International Cotton Advisory Committee

Washington

May 7

UNRRA Council: Fourth Session

Washington

May 9

FAO: Special Meeting on Urgent Food Problems

Washington

May 20-28

The United Nations:

Security Council

New York

March 25

Military Staff Committee

New York

March 25

Special Committee on Refugees and Displaced Persons

London

April 8

International Court of Justice

The Hague

April 18

Commissions of the Economic and Social Council

New York

April 29

Economic and Social Council

New York

May 25

International Health Conference

New York

June 19

General Assembly: Second Part of First Session

New York

September 3

The dates in the calendar are as of May 12.

Activities and Developments

First Meeting of the International Fund and the International Bank. The Executive Directors of the International Monetary Fund held their first meeting on May 6, and the International Bank on May 7. These first meetings have been concerned with organizational matters. The following Executive Directors have been named to the respective organizations:

For the International Monetary Fund

Belgium, Camille Gutt
Brazil, Francisco Alves dos Santos-Filho
Canada, Louis Rasminsky
China, Y. C. Koo
Czechoslovakia, J. V. Mladek
Egypt, Ahmed Zaki Bey Saad
France, Pierre Mendes-France
India, J. V. Joshi

Mexico, Rodrigo Gómez

The Netherlands, G. W. J. Bruins

United Kingdom, George Bolton

United States, Harry D. White

For the International Bank

Belgium, Louis Goffin (alternate)
Canada, R. B. Bryce
Chile, Victor Moller
China, Yuen-Ting Shen
Cuba, Luis Machado
France, Leonard B. Rist
Greece, Kyriakos Varvaressos
India, N. Sundaressan
The Netherlands, J. W. Beyen
Crena de Jong (alternate)
Poland, Dr. Leon Baranski
United Kingdom, Robert Brand
United States, Emilio Collado

Conference on Non-Repatriable Victims of German Action.¹ The State Department announced on May 9 the appointment by the President of Dr. Eli Ginzberg of Columbia University as the United States representative at the forthcoming conference, which will convene in Paris about the end of May.

The Agreement on Reparation from Germany, which was signed in January,² made special provision for those victims of German action who cannot be repatriated. The details of a plan to resettle these refugees will be worked out in Paris at a five-power conference among representatives of the United Kingdom, France, Czechoslovakia, Yugoslavia, and the United States.

The Agreement on Reparation provided that a sum of 25 million dollars should be made available from German assets in neutral countries and all of the non-monetary gold found in Germany should likewise be available for the rehabilitation and resettlement of refugees. In addition, the assets in neutral countries of victims who died without heirs should also be made available.

This Government considers that the first 25 million dollars realized from German assets in neutral countries should be made available to speed work of rehabilitating and resettling these refugees. Negotiations are currently under way with the Swiss Government on the subject of German assets in Switzerland.

Dr. Ginzberg has been loaned for this mission to the State Department by the War Department, where he has been serving as special assistant to the Surgeon General.

Irwin Mason and Jacob Kaplan of the Department of State will assist Dr. Ginzberg at this conference.

PICAO. In a letter to Gerald B. Brophy dated May 4, 1946, the President accepted his resignation, effective at the close of business on June 30, 1946, as the United States Representative to the Interim Council of the Provisional International Civil Aviation Organization. For texts of the letters exchanged between the President and Mr. Brophy, see White House press release dated May 6, 1946.

UNRRA Council: Fourth Session. The Council meeting is a resumption of the Fourth Session held in Atlantic City, which adjourned on March 29.

As one of its final acts in March, the Council adjourned subject to a report from the new Director General, to be made after he had had the opportunity to consult with the supplying governments and the Combined Food Board upon the availability of food for those countries in Europe and Asia which UNRRA is feeding.

Mr. La Guardia has been almost constantly in session with the principals of the food-supplying nations of the world, in an endeavor to accelerate the flow of bread grains, fats and oil, and fertilizers to the famine-stricken areas and to establish the fundamental facts.

The Council resolution of March requested the Director General "to consult immediately and continuously as long as the emergency lasts with representatives of the supplying governments and with the Combined Food Board to consider the effectiveness of the steps being taken and to report thereon to the Central Committee and the Council."

The resolution further provided:

"In view of the gravity of the present situation, the Fourth Session of the Council will remain in session and, upon completion of its meeting in Atlantic City, will be convened at Washington, D.C., as soon as the Director General can report on the outcome of his consultations . . . but in time to allow the Council to assess the position regarding scarce supplies to be made available to UNRRA to meet the grave emergency of this spring and early summer."

RESOLUTION ON FOOD³

WHEREAS: Resolution 89 instructed the Director General to consult with representatives of the supplying governments and with the Combined Food Board to consider the effectiveness of the steps being taken to meet the present food crises and to report thereon to the Central Committee and to the Council,

WHEREAS: The Director General has submitted to the Council a report which indicates that, in spite of his vigorous and forceful efforts to secure adequate quantities of essential foods, and despite the adoption of emergency measures by the gov-

¹ Released to the press May 9.

² BULLETIN of Jan. 27, 1946, p. 114.

³ Adopted at the Fourth Council Session in Washington on May 9.

ernments concerned, the situation has nevertheless become increasingly grave,

WHEREAS: The Council has noted the recommendations of the Director General in this report,

WHEREAS: The Council has been informed that the governments principally concerned are now in consultation regarding plans to improve the international machinery for the allocation of foodstuffs in short supply and regarding the development of more adequate measures for implementing allocations, and

WHEREAS: At the forthcoming special meeting of FAO on May 20th there will be considered: "the desirability of making recommendations to Governments regarding a four or five year plan, designed to carry the world through the present crises and to assist in effecting a smooth transition from emergency measures to a permanent world food policy."

RESOLVED: The Council recommends that, in view of the prospect of continuing serious world food shortages, the supplying and importing governments concerned develop immediately plans for the improvement of international machinery for the allocation of foodstuffs in short supply.

The Council recommends further that the governments concerned, in view of the present emergency, develop immediately more adequate machinery for making effective all allocations.

The Council recommends further that in making allocations the allocating authorities should constantly seek to achieve a fair and equitable distribution of supplies among all the United Nations according to their needs.

FAO: Special Meeting on Urgent Food Problems. The meeting is being convened by the Food and Agriculture Organization as an outcome of discussions in the United Nations Assembly in London early this year. It will not deal with the present phase of the emergency, which is being handled by existing agencies, but will be asked

to look ahead to the winters of 1946-47 and 1947-48.

Governments that have major contributions to make to the solution of the world food crisis have been invited to send ministers or other responsible officials to the May 20 meeting, which will be held in the Chamber of Commerce building, Washington.

The international organizations invited to send representatives are the Combined Food Board, UNRRA, the Emergency Economic Committee for Europe, and the United Nations. The International Bank for Reconstruction and Development and the International Labor Office have been invited to send observers.

The Director General has proposed the following agenda, enclosed with his letter, for the May 20 meeting:

- I. (a) The implications of the factual picture that has been prepared by working groups drawn from the organizations dealing with the food crisis.
(b) Means whereby FAO with the cooperation of other organizations and governments can keep the situation under continuous review and report to governments concerned on changes in harvest prospects in any part of the world, and any other factors affecting the production or distribution of food, so that the necessary action can be taken with a minimum of delay.
- II. (a) Measures that can be taken to husband the food available from the 1946 and 1947 harvests and to insure that it is used to the best advantage.
(b) Measures to insure maximum output from the 1947 harvest in all countries.
- III. The desirability of making recommendations to governments regarding a four- or five-year plan, designed to carry the world through the present crisis and to assist in effecting a smooth transition from the emergency measures to a permanent world food policy.

The Record of the Week

First Anniversary of V-E Day

STATEMENT BY THE PRESIDENT

[Released to the press by the White House May 8]

On the first anniversary of V-E Day the people of the United States remember with grateful pride the men and the women of the United Nations whose unstinted sacrifices made the victory possible. The year that has passed has made us realize with greater awareness the nature of their gift to this and succeeding generations. They gave us not justice but the opportunity to achieve it, not security but the opportunity to win it, not peace but the opportunity to make it. Let each of us judge for himself how well in the past year we have used what came to us at such great price.

These opportunities will not be ours forever. Unless we take advantage of them fully, quickly, and selflessly, they will slip from our grasp. A year after V-E Day, the opportunities that it brought to build a just, secure, and peaceful world are still with us. To the extent that we maintain our unity within ourselves and with other peoples, and to the extent that we dedicate ourselves wholly and unselfishly to the mighty tasks confronting us, they will become on succeeding anniversaries not narrowing but expanding vistas of the hopes of man.

The Inter-American Military Cooperation Act

LETTER FROM THE PRESIDENT TO THE CONGRESS¹

[Released to the press by the White House May 6]

To the Congress of the United States:

I submit herewith for the consideration of the Congress a bill to be entitled "The Inter-American Military Cooperation Act" authorizing a program of military collaboration with other American States including the training, organization, and equipment of the armed forces of those countries. I recommend that the Congress give this bill its favorable consideration and enact it.

For several years our Army and Navy have maintained cordial relations of collaboration with the armed forces of other American republics within the framework of the Good Neighbor Policy. Under authorization of the Congress, military and naval training missions have been sent to various American republics. During the recent war, even prior to Pearl Harbor, this collaboration was intensively developed on the basis of inter-

American undertakings for hemisphere defense. Training activities were expanded, and under the Lend-Lease Act limited amounts of military and naval equipment were made available to the other American republics as part of the hemisphere defense program. Forces from two of the American republics participated in combat overseas, and others joined in the defense of the shores and seas of the Americas at a time when the danger of invasion of our continents was all too great.

More recently the American republics have assumed new responsibilities, for their mutual defense and for the maintenance of peace, in the Act of Chapultepec and the Charter of the United Nations. The close collaboration of the American republics provided for in the Act of Chapultepec, the proposed treaty to be based upon that Act, and

¹ H. Doc. 548, 79th Cong.

other basic inter-American documents, makes it highly desirable to standardize military organization, training methods and equipment as has been recommended by the Inter-American Defense Board.

Under the bill transmitted herewith, the Army and Navy, acting in conjunction with the Department of State, would be permitted to continue in the future a general program of collaboration with the armed forces of our sister republics with a view to facilitating the adoption of similar technical standards. Certain additional training activities, not covered by existing legislation, would be permitted. The President would also be authorized to transfer military and naval equipment to the Governments of other American States by sale or other method.

The collaboration authorized by the bill could be extended also to Canada, whose cooperation with the United States in matters affecting their common defense is of particular importance.

A special responsibility for leadership rests upon the United States in this matter because of the preponderant technical, economic and military resources of this country. There is a reasonable and limited purpose for which arms and military equipment can rightfully be made available to the other American States. This Government will not, I am sure, in any way approve of, nor will it participate in, the indiscriminate or unrestricted distribution of armaments, which would only contribute to a useless and burdensome armaments race. It does not desire that operations under this bill shall raise unnecessarily the quantitative level of armament in the American republics. To this end the bill specifies that amounts of non-standard material shall be sought in exchange for United States equipment.

It is my intention that any operations under this Bill, which the Congress may authorize, shall be in every way consistent with the wording and spirit of the United Nations Charter. The bill has been drawn up primarily to enable the American nations to carry out their obligations to cooperate in the maintenance of inter-American peace

and security under the Charter and the Act of Chapultepec which is intended to be supplanted by a permanent Inter-American Treaty.

It is incumbent upon this Government to see that military developments in which we have a part are guided towards the maintenance of peace and security and that military and naval establishments are not encouraged beyond what security considerations require. In this connection the bill provides that operations thereunder are subject to any international agreement for the regulation of armaments to which the United States may become a party. In addition provision will be made for continuing coordination of the actual operations under the legislation with developing plans and policy in the field of armaments regulation.

In executing this program it will be borne in mind, moreover, that it is the policy of this Government to encourage the establishment of sound economic conditions in the other American republics which will contribute to the improvement of living standards and the advancement of social and cultural welfare. Such conditions are a prerequisite to international peace and security. Operations under the proposed legislation will be conducted with full and constant awareness that no encouragement should be given to the imposition upon other people of any useless burden of armaments which would handicap the economic improvement which all countries so strongly desire. The execution of the program authorized by the bill will also be guided by a determination to guard against placing weapons of war in the hands of any groups who may use them to oppose the peaceful and democratic principles to which the United States and other American nations have so often subscribed.

In entering into agreements with other American States for the provision of training and equipment as authorized by the bill, the purposes of this program will be made clear to each of the other governments.

HARRY S. TRUMAN

THE WHITE HOUSE
May 6, 1946

Addresses of the Week

Frank Whitson Fetter
Chief of the Division of Investment
and Economic Development.

Rebuilding Multilateral Trade; see
Department of State press release
321 of May 11.

Made at the University of Michigan
in Ann Arbor, Mich., on May 13.

Exchange of Messages on the Food Crisis in India

[Released to the press May 12]

From the Viceroy of India (Lord Wavell) to the President dated April 15, 1946

Reports indicating that quantities of wheat programmed for India by the Combined Food Board are being cut down have caused great anxiety here. I sincerely trust they are ill founded, and would be grateful for an assurance. The impression seems to have got about that late rains in northern India have changed the whole position. This is entirely incorrect. The rain came too late to prevent serious damage, and the total rainfall for the cold weather was about one-third to one-half of the average. If the yields have improved in any part of the country as compared with our estimates (which remains to be seen) procurement cannot be affected in any case until the second half of 1946. Our demands for the first half of 1946 relate to the previous harvest in which our estimated deficiency is 3 million tons against the 1.4 million tons programmed for India by the Combined Food Board. I can personally assure you that this quan-

tity of 1.4 million tons is urgently required to prevent serious famine here. And I am sure you will appreciate our feelings about any proposal to transfer food grains so urgently needed in India to ex-enemy countries.

From the President to the Viceroy of India dated May 3, 1946

I have received through the Indian Agent General in Washington your personal message with regard to the critical food situation in India. You may be sure that the gravity of the food shortage in India is thoroughly recognized by the United States Government and is receiving the fullest and most sympathetic consideration on the highest levels of the Government. I am aware that the rains which occurred in some sections of India in the latter part of February have done little to ameliorate the seriousness of the situation as pointed out to me by the distinguished Chairman of the Indian Food Delegation which recently visited this country.

Continuation of Combined Food Board Operations

JOINT STATEMENT BY THE PRESIDENT AND THE PRIME MINISTERS OF GREAT BRITAIN AND CANADA¹

[Released to the press by the White House May 8]

Statement issued by the President of the United States and the Prime Ministers of Great Britain and Canada on May 8

We announced on December 10, 1945 plans to terminate two of the combined supply boards but stated that the food shortages continued to be such that the Combined Food Board could not then be dissolved.² It was thought at that time that the Combined Food Board might finish its work by June 30, 1946. More recently we have decided that this Board should be continued until December 31, 1946, because of the deterioration that has occurred in the world food situation in recent months and the need to continue to control the dis-

tribution of many foods with a view to preventing widespread suffering and starvation. The question of whether it will be necessary to continue the Board beyond the end of this year will be reviewed after the food outlook for 1947 becomes clearer.

The recent deterioration in the world food situation has been due primarily to drought in many countries and to the fact that grain was consumed during the latter half of 1945 at a faster rate than was justified by actual supply. These developments came at a time when the food situation had already been undermined by factors attributable to the war. During recent months it has become apparent that serious shortages of basic foodstuffs probably will continue beyond the coming harvest. Under these circumstances it is essential that the Combined Food Board should continue its opera-

¹ Released simultaneously in London, Ottawa, and Washington.

² BULLETIN of Dec. 16, 1945, p. 975.

(Continued on next page)

International Short-Wave Broadcasting Committee

[Released to the press May 11]

On May 11 Assistant Secretary of State Benton announced the appointment of a committee to advise him and the State Department on the content of the international short-wave broadcasting of the United States.

The committee, which will meet for the first time on May 13 (Monday) in New York, will consist of eight or nine members and two consultants. It will apprise the content of the overseas "Voice of America" broadcasting, which is now carried on in 24 languages and totals over 400 program-hours a week. It will study this broadcasting in terms of the quality, effectiveness, and objectivity of the programs.

The members of the committee are:

MARK ETHRIDGE, publisher of the *Louisville Courier-Journal* and former president of the National Association of Broadcasters.

DON FRANCISCO, vice president and director of the J. Walter Thompson Advertising Agency, and formerly Assistant Coordinator of Inter-American Affairs, in which position he developed and directed the broadcasting activities of that office.

GARDNER COWLES, JR., publisher of the *Des Moines Register and Tribune*, president of the Cowles Broadcasting Company, and formerly director of OWI's domestic information program.

ROY E. LARSEN, president of Time, Inc., who pioneered in broadcasting through the development of the "March of Time" broadcast series.

Professor HAROLD LASSWELL, School of Law, Yale University, director of War Communications Research, Library of Congress, from 1941 to 1944, author of *Democracy Through Public Opinion* and other studies of communications and public opinion.

STERLING FISHER, Assistant Public Service Counselor, National Broadcasting Company, director of the "NBC University of the Air", and director of the "NBC United Nations Project".

The Reverend ROBERT I. GANNON, president, Fordham University, and trustee of Town Hall, New York, N. Y.

EDWARD R. MURROW, vice president of the Co-

lumbia Broadcasting System, in charge of public affairs, formerly chief of CBS European Operations.

The consultants of the Committee are:

PHILIP COHEN, supervisor of radio and television, Ruthrauff and Ryan Advertising Agency, formerly director of the American Broadcasting Station in Europe, and formerly radio director, U. S. Office of Education.

VICTOR HUNT, policy coordinator, Office of International Information and Cultural Relations, Department of State.

Short-wave broadcasting is one of the principal methods by which a full and fair picture of America can be projected to the peoples of other lands, Mr. Benton pointed out in announcing the formation of the committee.

"It is estimated that there are now more than 20 million radio sets outside the United States capable of receiving short wave." He said, "This number is bound to multiply. In many areas there is no other means of getting information directly from the United States. It is obviously important to the cause of international understanding and peace that foreign peoples should get an accurate, balanced picture of American life, and of the aims and policies of the United States Government. Broadcasting is a vital medium to this end.

"I am gratified that this distinguished group has agreed to advise the State Department on the content of the 'Voice of America' broadcasting."

FOOD BOARD—Continued from page 861.

tions in order to promote the best possible utilization of world food supplies.

The commodity committees, which carry on the day-to-day work of the Board, consist of representatives of major exporting and importing countries. These committees provide a forum in which the greatest possible measure of agreement is sought concerning the maximum of food which can be made available for export and the pattern of its distribution. The Board and the committees will continue to provide a forum for the integration of national programs and the assembly of the fullest information on supplies and requirements for the purpose of recommending allocation to the governments affected.

Anglo-American Rice Commission

[Released to the press May 9]

On May 6 there was signed at Bangkok a tripartite agreement between the Governments of the United States, United Kingdom, and Siam whereby there is established at Bangkok an Anglo-American Rice Commission to assist the Siamese Government in stimulating the production of rice and to expedite the export of rice. The Commission will, in agreement with the Siamese Government, determine the scale of prices to be paid for various grades of rice and will have authority over all actual exportation. The agreement provides that all exports shall be in accordance with allocations recommended by the Combined Food Board at Washington. The American and British Governments agree to support Siamese membership on the Rice Committee of the Combined Food Board. The agreement runs to September 1, 1946 but is renewable at the request of the United States and British Governments for two further periods of six months each. The United States believes that the Rice Commission will greatly accelerate the movement of rice from Siam to deficit areas in the Far East.

In this connection the United States Government welcomes the recent action of the British Government in abandoning the provision included in the British-Siamese agreement signed at Singapore, January 1, 1946, requiring Siam to contribute free of cost to countries designated by the British an amount of rice equal to the amount of surplus rice in Siam at the conclusion of the war but not exceeding 1,500,000 tons. This Government from the first regretted the principle embraced in this free-rice demand and has long felt that this was one of the most serious impediments which has delayed the procurement of Siamese rice so urgently needed in India, China, Malaya, the Philippines, and other areas in the Far East. This delay has been especially unfortunate as Siam is the only country in the Far East with any substantial exportable surplus of rice.

The new arrangement between Great Britain and Siam provides that Siam will export 1,200,000 tons of rice between May 1, 1946 and May 1, 1947. All such rice will be paid for, but if the full amount stated is not exported Siam will make a free contribution the following year of the

amount by which exports fall short of the target figure.

In consultation with the Siamese Government and American representatives in Bangkok, a basic price for 35 percent broken rice has been established at the equivalent of 12 pounds 14 shillings ex mill (approximately \$51) a ton. In addition, as an added incentive for prompt exports, a premium of 3 pounds (\$12) a ton is to be paid for all rice delivered before June 1, and of 1 pound 10 shillings (\$6) a ton for all rice delivered between June 1 and June 15. Thereafter, it is intended that prices for Siamese rice will remain unchanged at least until about March 1, 1947, by which time most of the 1946-47 crop will have been sold. Dealers and farmers will thus have assurance as to the prices which they may expect for their rice.

Another factor which has retarded the export of Siamese rice is the uncertainty in Siam as to exchange rates and the lack of consumer goods and transportation equipment. It is understood that official exchange rates are being established by the Siamese Government in accordance with which 10 Siamese baht or tical will equal approximately one United States dollar.

Recognizing the urgent Siamese need for supplies, this Government recently approved a surplus-property contract of \$10,000,000 with 20-year credit at 2½ percent and with a provision for an additional \$10,000,000 if items needed by Siam can be secured from surplus property abroad. On April 19 all Siamese assets in this country were unfrozen. This Government has completed arrangements for the sale of war-surplus garments urgently needed by Siamese farmers and has taken steps to arrange for the sale to the Siamese Government on long-term credit of a number of meter-gauge locomotives and cars now in India which had been lend-leased to the British Government during the war.

The British Government is also arranging for the importation into Siam of large quantities of textiles, medical supplies, and hand farm tools.

The Siamese authorities, recognizing the urgency of world food shortages, have pledged their utmost efforts to expedite the export of Siamese rice, and this Government hopes that the steps now being taken will start the flow of surplus rice, which has been delayed so long, from Siam to the other countries of the Far East where serious famine exists.

Agreement Proposed With U.K. for Use of Leased Bases by Civil Aircraft

[Released to the press May 7]

Dean Acheson, Acting Secretary of State, announced on May 7 that the British Government has confirmed its willingness to conclude a formal agreement based on the proposed arrangement negotiated at the Bermuda Aviation Conference with respect to opening the 99-year leased bases to civil aircraft. Agreement was reached at Bermuda on virtually all aspects of the problem, but a few matters were reserved for further study by the two Governments.¹

Following conversations which have taken place since the Bermuda conference, notes were exchanged on May 6 between the Department of State and the British Embassy in which pending questions were settled in substance. It has been arranged that a formal agreement should be concluded in the very near future, and it is expected that a British delegation will shortly arrive in this country to work out the final details. The agreement will cover bases in the Caribbean area and Bermuda.

The United States has made a reservation to the effect that the agreement will not become effective until satisfactory arrangements are reached with the Governments of Canada and Newfoundland regarding the civil use of four airfields in Newfoundland and Labrador, two of which are included in the 99-year-base category. Discussions are proceeding with the Canadian and Newfoundland authorities, and agreement is expected shortly.

The Department of State also calls attention to paragraph 8 of the Final Act of the conference, which reads:

"(8) That duly authorised United States civil air carriers will enjoy non-discriminatory 'Two Freedom' privileges and the exercise (in accordance with the Agreement or any continuing or subsequent agreement) of commercial traffic rights at airports located in territory of the United Kingdom which have been constructed in whole or in part with United States funds and are designated for use by international civil air carriers."

¹ BULLETIN of Apr. 7, 1946, p. 593.

Invitations Extended for Witness of Atomic-Bomb Tests

[Released to the press May 7]

The Acting Secretary of State announced on May 7 that, by authority of the President, invitations are being extended to all nations having membership in the United Nations Atomic Energy Commission to have governmental and press observers in attendance to witness the atomic-bomb tests, known as "Operation Crossroads". These tests will be conducted during the months of July and August 1946 at Bikini Atoll in the Marshalls Group, subject to the prior approval by Congress of the allocation of naval ships for this purpose.

The test is, in its entirety, an undertaking of the United States Government and is not a combined or international operation.

The United Nations Atomic Energy Commission is composed of those nations members of the United Nations Security Council, plus Canada, as follows:

| | |
|-----------|-------------------------------------|
| Australia | Netherlands |
| Brazil | Poland |
| Canada | Union of Soviet Socialist Republics |
| China | United Kingdom |
| Egypt | United States |
| France | |
| Mexico | |

British Officials To Discuss Food Crisis With the President

[Released to the press by the White House May 8]

Herbert Morrison has been charged by the British Government with a mission to the President to discuss the world food crisis with the President and his advisers and to explore further measures which might be taken to meet the situation. The President has indicated that he would welcome the proposed mission. Mr. Morrison, who will be accompanied by officials of the British departments concerned, is Lord President of the Council in the British Cabinet. He is expected to leave England by air on May 10 or 11.

Publication of Report of Allied Mission to Observe Greek Elections

[Released to the press by the White House May 10]

There was made available to the public on May 10 the complete text of the unanimous report of the Allied Mission to Observe the Greek Elections,¹ which was signed in Athens on April 10, ten days after the Greek national elections, by representatives of the three Governments which had participated in the friendly task of assisting an Ally to restore democratic processes after many years of political inactivity and enemy occupation. Simultaneously this report was released by the British Government in London and by the French Government in Paris, and a copy is being presented on behalf of the three Governments to the Greek Government in Athens.

The Allied Mission to Observe the Greek Elections created a precedent in the diplomatic history of free and independent countries. Following the Yalta declaration on liberated Europe of February 11, 1945, in which the three participating powers assumed responsibility for assisting liberated nations to facilitate, where necessary, the holding of free elections to establish governments responsive to the will of the people, the British, French, and United States Governments accepted an invitation from the Greek Government to observe the Greek elections and to report the results of their observation to the world.

For three months prior to the Greek elections on March 31, an Allied organization of approximately 1,200 persons made preparations for a scientific observation of election procedures; for several weeks before and about one week after the elections, Allied observation teams traveled throughout Greece and the Greek islands, examining election lists, questioning officials and party representatives, collecting other pertinent information, and reporting to the central office of the Mission any irregularities which warranted the attention of the Greek Government.

Although the report as released contains the complete text of the signed report and several important appendixes, it has not been feasible to in-

clude in it all supplementary documentation, charts, maps, tables, and lists. It is contemplated that at some time in the future the report will be published in volume form with full documentation as a valuable contribution to specialists in international affairs.

Comments on U.S. Proposals for New Agency To Handle Resettlement of Displaced Persons

At Acting Secretary Acheson's press and radio news conference on May 3 a correspondent asked for comment on press dispatches from London that the United Nations Committee on Refugees voted 12 to 6 to recommend the United States proposal for creation of a new agency outside of the United Nations framework to handle resettlement of displaced persons still on the UNRRA rolls. Mr. Acheson replied that George L. Warren, Adviser on Refugees and Displaced Persons in the Department of State, attended the London meeting which opened April 8, and at the meeting he proposed on behalf of the United States that a new agency be created which, although fostered by the United Nations, would be entirely separate from that organization and financed separately. The United States proposal, he said, is for a new agency to take over the problem of displaced persons and refugees from the Intergovernmental Committee on Refugees, from UNRRA when it terminates the limited work it is doing in this field, and from the High Commissioner's Office of the League of Nations on Displaced Persons and Refugees. He added that the United States proposal had been approved by a vote of 12 to 6 and that the action presumably would be referred to the meeting of the Economic and Social Council of the United Nations which opens May 25 in New York. This conference recommendation, in turn, would be passed on to the General Assembly when it opens September 3. Mr. Acheson commented that it was a very discouraging job in connection with the resettlement of the refugees; that we had been working on it for years and had made discouragingly little progress.

A correspondent asked whether it would be the

¹ Department of State publication 2522, copies of which may be obtained from the Division of Research and Publication, Department of State.

policy of the United States to encourage immigration to other countries of displaced persons, suggesting that many of them would go to Latin American countries if the individual countries would be willing to receive them. Mr. Acheson replied that he thought it would not only be the policy but that the United States would be most grateful for people who would cooperate in that effort. Asked if he would be willing under such circumstances to have some sort of arrangement whereby their transportation costs would be shared on a like basis instead of being borne by the countries to which they were to go, Mr. Acheson replied that he thought something could be worked out, that we had a temporary arrangement which was voted in the last UNRRA Council meeting by which they would bear the transportation expenses of resettlement.

Estimate for UNRRA Appropriation

PRESIDENT'S LETTER OF TRANSMITTAL TO CONGRESS¹

THE WHITE HOUSE,
WASHINGTON, May 1, 1946.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress a supplemental estimate of appropriation for the fiscal year 1946 in the amount of \$600,000,000 for the United Nations Relief and Rehabilitation Administration.

The details of this estimate, the necessity therefor, and the reasons for its submission at this time are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith, in whose comments and observations thereon I concur.

Respectfully yours,

HARRY S. TRUMAN

[Enclosure]

¹ H. Doc. 543, 79th Cong.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
WASHINGTON 25, D. C., April 30, 1946.

THE PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration a supplemental estimate of appropriation for the fiscal year 1946 for the further participation of the United States in the work of the United Nations Relief and Rehabilitation Administration in the fiscal years 1946 and 1947 in the amount of \$600,000,000 as follows:

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

For an additional amount to enable the President to carry out the provisions of the Act of March 28, 1944 (Public Law 267), as amended, to be consolidated with the appropriations for the same purpose in the United Nations Relief and Rehabilitation Administration Participation Appropriation Act, 1945, the United Nations Relief and Rehabilitation Administration Participation Act, 1946, and the First Deficiency Appropriation Act, 1946, \$600,000,000, to remain available until June 30, 1947: *Provided*, That said consolidated funds may be expended without regard to the limitations in the proviso clause of the first paragraph of the United Nations Relief and Rehabilitation Administration Participation Act, 1946----- \$600,000,000

The United Nations Relief and Rehabilitation Administration is in urgent need of additional funds at this time in order to continue its program.

Congress has authorized the appropriation of \$2,700,000,000 for United States participation in the UNRRA activities, of which amount \$2,100,000,000 have already been appropriated. The \$600,000,000 herein requested will complete the authorized contribution.

The foregoing supplemental estimate of appropriation is made necessary by reason of contingencies which have arisen since the transmission of the Budget for the fiscal year 1946. I recommend that it be transmitted to the Congress.

Very respectfully yours,

HAROLD D. SMITH,
Director of the Bureau of the Budget.

Visit of Manuel Roxas to United States

STATEMENT BY THE PRESIDENT

[Released to the press by the White House May 10]

I was happy to meet today the newly elected President of the Philippine Commonwealth, who will, on July 4, be proclaimed President of the Republic of the Philippines.

General Roxas will have, as President Osmeña has had, the full and heart-felt cooperation of the United States Government in the many mutual concerns of Philippine-American relations. The United States is committed to the advancement of the national welfare of the infant Republic. We sympathize with the plight of the heroic Philippine people. We shall continue to do whatever we can to help them on the road to economic recovery and national prosperity.

We discussed some of the more immediate needs of the Commonwealth. President-elect Roxas was authorized by President Osmeña to speak for the Philippine nation in these discussions. I expect to see General Roxas again before he leaves. The discussions will go forward with other officials of this Government.

Visit of Bolivian Educator

[Released to the press May 9]

Enrique Baldovieso, professor of constitutional law and of Greek philosophy in the University of La Paz, Bolivia, is visiting the United States at the invitation of the Department of State.

While in the United States Dr. Baldovieso plans to visit some of the universities, especially their law schools, industrial establishments, and certain Government agencies. He is interested in a study of the social-security and social-service programs of the United States and, in connection with his visit to the Department of Labor, hopes also to be able to visit a State Labor Department.

During his three months in the United States, Dr. Baldovieso will visit New York, New Haven, Boston, Buffalo, Niagara Falls, Detroit, Ann Arbor, Chicago, and Washington.

Protocol for Extension of Inter-American Coffee Agreement

[Released to the press May 9]

President Truman on May 7, 1946 proclaimed the protocol for the extension of the Inter-American Coffee Agreement for one year from October 1, 1945. The protocol was open for signature at Washington from October 1, 1945 to November 1, 1945, and during that period was signed for the United States of America (subject to ratification) and the 14 other American republics parties to the Inter-American Coffee Agreement of November 28, 1940, namely: Brazil, Colombia (ad referendum), Costa Rica, Cuba (subject to ratification by its Senate), Dominican Republic, Ecuador (ad referendum), El Salvador, Guatemala (ad referendum), Haiti, Honduras, Mexico, Nicaragua (ad referendum), Peru (ad referendum), and Venezuela (ad referendum). The protocol was approved by the Senate on April 11, 1946 and was ratified by the President on April 29. The instrument of ratification by the United States was deposited with the Pan American Union on May 1, 1946.

The protocol retains the framework of the Inter-American Coffee Agreement for a one-year period but suspends the provisions of articles I to VIII, inclusive, of that agreement, which relates to coffee quotas, with the exception that under emergency conditions those articles of the agreement shall again become effective upon a motion approved by at least 95 percent of the total vote of the Inter-American Coffee Board.

Article 3 of the protocol provides that during the one-year period for which the protocol extends the agreement the Inter-American Coffee Board shall undertake to prepare a thorough analysis of the world coffee situation and shall formulate recommendations, for the consideration of the governments now participating in the agreement and of other governments which might be interested in participating in a revised agreement, regarding the type of international cooperation that appears most likely to contribute to the development of sound, prosperous conditions in international trade in coffee equitable for both producers and consumers. Those recommendations are, however, to take account of any general principles of commodity policy embodied in any agreement which may be concluded under the auspices of the United Nations prior to the submission of the recommendations.

Costa Rican Journalist Visits U.S.

[Released to the press April 19]

Otilio Ulate, owner and publisher of the *Diario de Costa Rica*, largest newspaper in Costa Rica, and the evening paper, *La Hora*, both published in San José, Costa Rica, is in the United States at the invitation of the Department of State under its travel-grant program. Mr. Ulate, for many years a distinguished journalist and writer in his country, has recently returned from Europe, where he spent several months as a war correspondent accredited by the United States War Department.

Mr. Ulate will spend two months in the United States, during which time he will visit Washington, New York, Knoxville, Chicago, San Francisco, Los Angeles, New Orleans, and Miami.

Visit of Argentine Mathematician

[Released to the press May 10]

Cortés Pla, who has been for many years Vice Rector of the University of the Litoral, Santa Fé, Argentina, and dean of the faculty of mathematical sciences in that institution, is visiting the United States to observe university administration and organization and to confer with colleagues in mathematics and physics, at the invitation of the Department of State.

Dr. Pla was president of the Association of Professors of the University of the Litoral. In 1937 he went to Rio de Janeiro as delegate to the South American Engineering Congress.

During his three months in the United States Dr. Pla plans to visit the following universities: Johns Hopkins, Princeton, Columbia, Cornell, Yale, Harvard, Massachusetts Institute of Technology, Michigan, Illinois, and Wisconsin.

Agreement With Turkey for Final Settlement of Lend-Lease

[Released to the press May 8]

The United States and Turkey on May 7 signed an agreement providing for the final settlement of Turkey's lend-lease account. The agreement, which was negotiated in Ankara by United States Ambassador Edwin C. Wilson, calls for cash payment by Turkey of \$4,500,000 within 30 days. Turkey thus becomes the first country which received substantial quantities of supplies as lend-lease aid to agree with this Government on an immediate cash liquidation of its entire financial obligation for lend-lease supplies.

To strengthen Turkey's capacity to resist Axis pressure and to meet such demands for Turkish assistance as Allied strategy might require, the United States and Great Britain delivered substantial quantities of war material to Turkey during the war. Under the authority of the Lend-Lease Act, the United States delivered nearly \$90,000,000 worth of military equipment under straight lend-lease. Additional quantities of supplies for the civilian economy were delivered to Turkey under cash-reimbursement lend-lease for which the Turks paid at the time of shipment.

Under the settlement just negotiated, Turkey is to pay for lend-lease equipment of a civilian nature

now located in Turkey, and receives full title to this equipment, which had an original cost value of \$5,728,000. Military items still in the possession of the Turkish armed forces are not being paid for, but are subject to the right of recapture, although the United States stated in the agreement that it does not intend generally to exercise this right. The settlement made with Turkey also covers all outstanding claims between the two Governments arising from the war. The agreement is expected to receive final ratification by the Turkish Grand National Assembly within a few days.

All unsold United States Army surpluses located in Turkey, which had an original cost value of just under \$700,000, were purchased late last month by the Turkish Government for \$500,000. Turkey has also recently concluded an agreement with the United States covering civil-aviation rights, containing terms regarded as satisfactory by the Department of State. Turkey is a member of the United Nations and the United Nations Relief and Rehabilitation Administration, and has applied for membership in the International Bank and the International Monetary Fund.

Entry Into Force of Protocols Prolonging the 1944 Sanitary Conventions

[Released to the press May 3]

On April 30, 1946 protocols prolonging the International Sanitary Convention, 1944, and the International Sanitary Convention for Aerial Navigation, 1944, beyond the expiration date of July 15, 1946, came into force between the Governments of Australia, Canada, China, France, Greece, Haiti, Luxembourg, Nicaragua, New Zealand, and the United Kingdom of Great Britain and Northern Ireland on behalf of which they were signed.

The two protocols were signed also, with a reservation requiring ratification, on behalf of Belgium, Ecuador, and the United States of America. These protocols were opened for signature in the Department of State on April 23, 1946.

The two protocols are identical with the exception of the titles and references to the respective conventions to which they relate. Following is the English text of the Protocol to Prolong the International Sanitary Convention, 1944:

PROTOCOL TO PROLONG THE INTERNATIONAL SANITARY CONVENTION, 1944 MODIFYING THE INTERNATIONAL SANITARY CONVENTION OF JUNE 21, 1926

The Governments signatory to the present Protocol,

Considering that, unless prolonged in force by action taken for that purpose by the interested Governments, the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, will expire on July 15, 1946, the expiration of eighteen months from the date on which the said 1944 Convention entered into force; and

Considering that it is desirable that the said 1944 Convention shall be prolonged in force after July 15, 1946 between the Governments parties thereto;

Have appointed their respective Plenipotentiaries who, having deposited their full powers, found in good and proper form, have agreed as follows:

ARTICLE I

Subject to the limitation provided for in Article II of the present Protocol, the International Sanitary Convention, 1944, Modifying the International Sanitary Convention of June 21, 1926, shall be prolonged in force on and after July 15, 1946, in respect of each of the Governments parties to the present Protocol, until the date on which such Government shall become bound by a further Convention amending or superseding the said 1944 Convention and the said 1926 Convention.

ARTICLE II

The United Nations Relief and Rehabilitation Administration (hereinafter referred to as UNRRA) shall continue to perform the duties and functions assigned to it by the said 1944 Convention, as prolonged by the present Protocol, until such time as a new International Health Organization shall be established, at which time such duties and functions shall be transferred to and shall be assumed by such new International Health Organization, provided that if the new International Health Organization has not been formed or, having been formed, is unable to perform the above duties and functions by the date on which UNRRA, owing to the termination of its activities in Europe or for any other reason, ceases to be able to perform them, those duties and functions shall be entrusted to the Office International d'Hygiene Publique and the countries signatory to this Protocol will, in that event, make appropriate financial provisions so as to enable the Office to perform those duties and functions.

ARTICLE III

The present Protocol shall remain open for signature until May 1, 1946.

ARTICLE IV

The present Protocol shall come into force when it has been signed without reservation in regard to ratification, or instruments of ratification have

been deposited or notifications of accession have been received on behalf of at least ten governments. The present Protocol shall come into force in respect of each of the other signatory Governments on the date of signature on its behalf, unless such signature is made with a reservation in regard to ratification, in which event the present Protocol shall come into force in respect of such Government on the date of the deposit of its instrument of ratification.

ARTICLE V

After May 1, 1946, the present Protocol shall be open to accession by any Government which is a party to the 1944 Convention and is not a signatory to the present Protocol. Each accession shall be notified in writing to the Government of the United States of America.

Accessions notified on or before the date on which the present Protocol enters into force shall be effective as of that date. Accessions notified after the date of the entry into force of the present Protocol shall become effective in respect of each Government upon the date of the receipt of that Government's notification of accession.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries sign the present Protocol, on the date indicated opposite their respective signatures, in the English and French languages, both texts being equally authentic, in a single original which shall be deposited in the archives of the Government of the United States of America and of which certified copies shall be furnished by the Government of the United States of America to each of the signatory and acceding Governments and to each of the Governments parties to the said 1944 Convention or the said 1926 Convention.

DONE at Washington this twenty-third day of April, 1946.

SANITARY CONVENTIONS

| | |
|---|----------------|
| For New Zealand: | |
| C. A. BERENDSEN | April 23, 1946 |
| For Belgium: | |
| Sous réserve de ratification. | |
| SILVERCRUYS | April 24, 1946 |
| For Canada: | |
| LESTER B. PEARSON | April 25, 1946 |
| For Nicaragua: | |
| ALBERTO SEVILLA SACASA | April 26, 1946 |
| For the United Kingdom of Great Britain and Northern Ireland: | |
| HALIFAX | April 29, 1946 |

For the United States of America:

| | |
|---|----------------|
| Subject to ratification. | |
| DEAN ACHESON | April 30, 1946 |
| For Greece: | |
| P. ECONOMOU-GOURAS | April 30, 1946 |
| For China: | |
| WEI TAO-MING | April 30, 1946 |
| For Luxembourg: | |
| HUGUES LE GALLAIS | April 30, 1946 |
| For Ecuador: | |
| Subject to ratification. | |
| L. N. PONCE | April 30, 1946 |
| For Australia: | |
| Subject to the reservations with which Australia acceded to the 1944 Convention to which this Protocol relates. | |
| J. B. BRIGDEN | April 30, 1946 |
| For Haiti: | |
| DANTÉS BELLEGARDE | April 30, 1946 |
| For France: | |
| H BONNET | April 30, 1946 |

Venezuelan Tuberculosis Specialist Visits United States

Dr. Pedro Iturbe, president of the Federation of Associations for the Prevention of Tuberculosis in Venezuela, is visiting in this country at the invitation of the Department of State. He will confer with colleagues and observe recent developments in his special field of interest.

He was president of the Second Venezuelan Congress for Tuberculosis and attended the Sixth Pan American Congress on Tuberculosis. In 1940 he attended a conference for hospital administrators held in Puerto Rico.

Safety Consultant Arrives in Uruguay

John W. Welch of Lincoln, New Hampshire, has arrived in Montevideo, Uruguay, to serve as consultant to the Banco Nacional de Seguros. He will work with them on training factory inspectors and developing safety education methods for management and workers. Mr. Welch is one of a group of distinguished educators who have received travel grants, under the program administered by the Department of State for the exchange of professors and technical experts between this country and the other American republics.

LATCHFORD—Continued from page 839.

Warsaw Convention of 1929 relating to the liability of air transport operators for damages to persons and property in international transportation, the Air Salvage at Sea Convention of 1938 under which the operators of aircraft would be liable for the payment of salvage awards, the Rome Convention of 1933 relating to damages caused by aircraft to persons and property on the surface, and the proposed convention relating to the liability of the air transport operator in the event of aerial collisions. The question arises in this instance whether, in the event there should be an accident in which the air transport operator might be liable under a series of these conventions, it would be feasible to scale down the operator's over-all liability in order to relieve him of the full burden of an accumulated liability under the terms of several conventions.

It is understood from the proceedings of the January 1946 sessions of CITEJA that the subject of arbitration mentioned on the agenda has to do with a proposal to confer upon CITEJA the power to arbitrate disputes as to the application of a rule of international air law when such disputes arise between governments, and under certain conditions between individuals.

Although it is difficult to give a satisfactory brief definition of the term *general average*, in maritime practice the principle of *general average* is that the voluntary loss of one interest resulting in saving other interests from loss is apportioned among all the interests. It is understood that the CITEJA will consider the extent to which the maritime principle of *general average* might be made applicable to air navigation.

The CITEJA decided in January 1946 to hold its next plenary session at Cairo beginning on November 4, 1946. It is expected that the CITEJA will then pass upon such projects as may be ready for submission by the appropriate CITEJA commissions. It has been the practice in the past for one or more of the commissions to meet at the time of the holding of the plenary session of the CITEJA. It is altogether likely therefore that some of the CITEJA commissions to which subjects on the agenda have been assigned will consider some of these subjects at Cairo before they are finally referred to the CITEJA in plenary session.

The Congress

Atomic Energy Act of 1946. S. Rept. 1211, 79th Cong., to accompany S. 1717. 125 pp.

Department of State Appropriation Bill for 1947: Hearings Before the Subcommittee of the Committee on Appropriations, House of Representatives, Seventy-ninth Congress, second session, on the Department of State Appropriation Bill for 1947. ii, 700 pp. [Indexed.]

Second Deficiency Appropriation Bill, 1946. S. Rept. 1236, 79th Cong., to accompany H. R. 5890. 11 pp. [Department of State, pp. 9-10.]

An Act To authorize the President to appoint Lieutenant General Walter B. Smith as Ambassador to the Union of Soviet Socialist Republics, without affecting his military status and perquisites. Approved March 15, 1946. H. R. 5529. Private Law 428, 79th Cong. 1 p.

Lt. Gen. Walter B. Smith. S. Rept. 1040, 79th Cong., to accompany H. R. 5529. 3 pp. [Department of State, p. 2.] [Favorable report.]

Providing For the Detail of United States Military and Naval Missions to Foreign Governments. H. Rept. 1753, 79th Cong., to accompany H.R. 5433. 6 pp. [Favorable report.]

Authorizing the Use of Naval Vessels To Determine the Effect of Atomic Weapons Upon Such Vessels. S. Rept. 1071, 79th Cong., to accompany H.J. Res. 307. 4 pp. [Favorable report.]

An Effective Wool Program. Letter from Hon. Harry S. Truman, President of the United States, to Hon. Joseph C. O'Mahoney, a Senator from the State of Wyoming, Chairman, Special Committee To Investigate Production, Transportation, and Marketing of Wool, Submitting a Memorandum on the Proposed Wool Program. S. Doc. 140, 79th Cong., ii, 6 pp.

Hearings on Science Legislation (S. 1297 and Related Bills): Hearings Before a Subcommittee of the Committee on Military Affairs, United States Senate, Seventy-ninth Congress, first session, pursuant to S. Res. 107 (78th Congress) and S. Res. 146 (79th Congress), authorizing a study of the possibilities of better mobilizing the national resources of the United States. Part 5, including statements submitted for the record, November 1 and 2, 1945. vii, 272 pp. Part 6, March 5, 1946, Testimony of Science Talent Search Finalists. ii, 14 pp.

National Science Foundation: Report from the Committee on Military Affairs, United States Senate, pursuant to S. 1850, a bill to promote the progress of science and the useful arts, to secure the national defense, to advance the national health and welfare, and for other purposes. S. Rept. 1136, 79th Cong., iii, 56 pp. [Favorable report.]

Philippine Trade Act of 1946. H. Rept. 1821, 79th Cong., to accompany H. R. 5856. 69 pp. [Favorable report.]

Implementation of the Financial Agreement Dated December 6, 1945, Between the United States and the United Kingdom. S. Rept. 1144, 79th Cong., to accompany S.J. Res. 138. 23 pp. [Favorable report.]

Providing for Membership by the United States in the United Nations Educational, Scientific, and Cultural Organization. H. Rept. 1927, 79th Cong., to accompany H.J. Res. 305. 10 pp. [Department of State, p. 2.] [Favorable report.]

Second Deficiency Appropriation Bill, 1946. H. Rept. 1817, 79th Cong., to accompany H.R. 5890. 27 pp. [Department of State, pp. 9, 24.]

State, Justice, Commerce, and the Judiciary, Appropriation Bill, Fiscal Year 1947. H. Rept. 1890, 79th Cong., to accompany H.R. 6056. 47 pp. [Department of State, pp. 5-15; 33-37.]

Second Deficiency Appropriation Bill for 1946: Hearings Before the Subcommittee of the Committee on Appropriations, United States Senate, Seventy-ninth Congress, Second Session, on H.R. 5890, an act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes. ii, 299 pp. [Indexed.] [State Department, pp. 174-204; 290-91.]

Atomic Energy Act of 1946: Hearings Before the Special Committee on Atomic Energy, United States Senate, Seventy-ninth Congress, second session, on S. 1717, a bill for the development and control of atomic energy. Part 1, January 22 and 23, 1946. iii, 100 pp. Part 2, January 25, 28, 29, 30, 31, and February 1, 1946. iii, 179 pp. Part 3, February 7, 8, 11, 13, and 14, 1946. iii, 146 pp. Part 4, January 24, 1946. ii, 9 pp.

Atomic Energy: Hearings Before the Special Committee on Atomic Energy, United States Senate, Seventy-ninth Congress, Second Session, pursuant to S. Res. 179, a resolution creating a special committee to investigate problems relating to the development, use, and control of atomic energy. Part 5, February 15, 1946. iii, 111 pp.

Foreign Educational Benefits and Surplus Property: Hearing Before a Subcommittee of the Committee on Military Affairs, United States Senate, Seventy-ninth

Congress, second session, on S. 1440, a bill authorizing use of credits established through the sale of surplus properties abroad for the promotion of international good will through the exchange of students in the fields of education, culture, and science, and S. 1636, a bill to amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its territories and possessions, and for other purposes. February 25, 1946. vii, 56 pp.

The Foreign Service

Consular Offices

The American Consulate at Taipei (Taihoku), Taiwan (Formosa), which was reestablished on April 11, 1946, is now being administered as a part of China (rather than of Japan as prior to the end of the war).

The status of the Consulate at Casablanca, Morocco, was changed to that of Consulate General on May 4, 1946.

Reference is made to a previous notice of the establishment of an American Consulate General at Berlin, Germany, on March 1, 1946. The Department of State has, in view of recently received recommendations from the Political Adviser at Berlin, now decided to consider that a consular section of the Office of the U. S. Political Adviser on German Affairs was established on March 1, rather than a separate office.

The American Consulate at Foynes, Ireland, was closed on April 30, 1946 and removed to Limerick. The Consulate at Limerick is considered to have been established on May 1.

The American Consulate at Bremen, Germany, was opened on May 1, 1946.

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